



**FAIRFAX COUNTY BOARD OF SUPERVISORS
2019 GENERAL ASSEMBLY
FINAL LEGISLATIVE REPORT
March 5, 2019**

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This report will be available on the Board of Supervisors Webpage at <https://www.fairfaxcounty.gov/boardofsupervisors/> listed under “Board Reports.”

For a more detailed summary, action, and wording of an individual bill please visit the Virginia Legislative Information System Website at <https://lis.virginia.gov/lis.htm>

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Fairfax County Vision Elements

To protect and enrich the quality of life for the people, neighborhoods, and diverse communities of Fairfax County by:

Maintaining Safe and Caring Communities

Building Livable Spaces

Connecting People and Places

Maintaining Healthy Economies

Practicing Environmental Stewardship

Creating a Culture of Engagement

Exercising Corporate Stewardship

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Section I

Final Report to Board of Supervisors 2019 General Assembly

OVERVIEW

The 2019 General Assembly (GA) convened on January 9, with the November 2019 elections for all 140 General Assembly seats looming in the background. Compared to recent sessions, which began on the heels of significant change (due to elections, retirements and the move from the General Assembly building to the Pocahontas building), the 2019 GA got off to a fairly mundane start, with few new faces and increased familiarity with legislative life in the Pocahontas building. Interestingly, the few significant changes involved the Fairfax County delegation. After the House Minority Leader, David Toscano, stepped down from that position, Fairfax County Delegate Eileen Filler-Corn was elected Minority Leader, the first woman in Virginia history to attain that position. The other change was a series of dominos that began with the election of state Senator Jennifer Wexton to the U.S. House of Representatives, leading to the subsequent special election of Delegate Jennifer Boysko to Senate District 33, leaving her House district unfilled until the final week of the session, when Ibraheem Samirah won a special election on February 19 and was quickly sworn-in on February 20. As for policy issues, it was expected that attention would focus on tax policy, casino gambling, funding solutions for I-81, and the Equal Rights Amendment (ERA), among others. A surprise summer announcement limiting Senators to 25 bills each, plus the House's traditional odd-session rule restricting Delegates to 15 bills each, limited the number of bills introduced overall.

The first few weeks of the session were, as usual, frenetic but relatively uneventful. The lack of drama was short-lived, however, and once the chain of events began there seemed to be no stopping the runaway train. First, a bill dealing with the contentious issue of abortion was presented at a House Courts of Justice subcommittee – the accompanying viral video catapulted Virginia into the national spotlight, generating heated debate between pro-life and pro-choice legislators and advocates, and even death threats against the bill's patron. Only days later, on the Friday before crossover, the next bombshell hit, followed by another and another and another – an admission of racist behavior by the Governor followed by a retraction of that admission, allegations of sexual assault against the Lieutenant Governor, and an admission of racist behavior by the Attorney General, all a decade or more in the past, some more than three decades in the past. The national media descended on Richmond and camped out between the Capitol and Pocahontas buildings for days, as Virginia politics seemed to dominate national headlines in a way few could ever recall witnessing before. There were calls for the immediate resignations of the Governor and Lieutenant Governor from elected officials across the political spectrum, not only in Virginia but throughout the United States. The media eventually turned their investigative lenses on GA members, discovering racist photos in a yearbook edited by the Senate Majority Leader, also decades ago. Protestors flooded Capitol Square. Legislators were on edge, wondering if events from long ago could now upend their future. Each day brought so many new revelations and allegations that time seemed to slow down, and the days felt longer with no escape in sight and the business of the Commonwealth still at hand. It seemed Virginia, a state with an often painful past, was facing a day of reckoning over issues of race and sexual assault while the nation watched.

Unexpectedly, after so much vitriol and turmoil, no one had resigned their office by the end of the session. Predictably, tensions simmered for the rest of the session, never far below the surface. But in addition to the usual partisan disputes between Democrats and Republicans, always heightened in an election year, friction between the House and Senate also became apparent. Senators complained that a small number of Delegates defeated legislation in subcommittee that had the support of a majority of GA members. A long-running disagreement over the appointment of Senators and Delegates to study commissions led to passionate speeches on the Senate floor, with Senators arguing that study resolutions should fail if representation was not equal between the chambers and House members asserting that their larger membership should yield greater representation. The House's adoption of amendments that seemed like a veiled attempt at adding anti-abortion language to a commending resolution, **SJ 299** (McClellan), designating World Prematurity Day in Virginia, resulting from the patron's own experiences with a premature baby, led the patron to ask that her own bill be defeated – the Senate Majority Leader remarked that the House's actions were an "egregious violation of the integrity of the process."

Though some had anticipated that the session would end early, a deal on the budget proved elusive until the final scheduled day of the session, but a stumbling block remained. The House has a rule requiring that the budget be posted 48 hours prior to a House vote, and waiving that rule requires a two-thirds majority – after skirmishes earlier in the final week over a last ditch effort on the ERA, which was stopped by Republicans declining to waive the rules to allow its consideration, Democrats returned the favor and refused to waive the 48-hour rule. A compromise was reached on 24 hours, and the GA ended one day late. Perhaps Laura Vozzella of *The Washington Post* summed it up best when she tweeted, “...our long Richmond nightmare is over. They adjourn sine die.”

Amidst the tension and the rush to take final action on legislation in the closing days of the session, several legislators announced their retirements, including former House Minority Leader Toscano. In addition to recognizing their own retiring members, the GA also passed resolutions commending retiring members of the Fairfax County Board of Supervisors, including Chairman Sharon Bulova (**HJ 1095** (Keam)/**SJ 430** (Petersen)), Supervisor John Cook (**HJ 1135** (Watts)), Supervisor Cathy Hudgins (**HR 370** (Plum)), and Supervisor Linda Smyth (**HJ 1032** (Keam)/**SJ 429** (Petersen)), praising them for their years of service and contributions to the Commonwealth. The 2019 GA also passed resolutions commending other Fairfax County institutions, including the Fairfax County Department of Neighborhood and Community Services (**HJ 1040** (Delaney)) for receiving the 2018 Kudos Award for Sustainability and Longevity, the Library Foundation (**HJ 1096** (Bulova)) on its 25th anniversary, and the Park Authority (**HJ 1124** (Tran)) for receiving national accreditation in 2018, as well as **HJ 1041** (Delaney), commending Fairfax County for receiving the 2018 Arbor Foundation’s Tree City USA award.

LOCAL GOVERNMENT OVERVIEW

Overall, the 2019 GA session was more favorable for local governments than many previous sessions, though there were certainly some unfortunate exceptions. There was not the quantity of significantly adverse legislation that has often dominated previous sessions. Although the upcoming November 2019 elections were on the minds of many, the state budget process, though still challenging, was much less contentious than has been the case in recent sessions, as the issue of Medicaid expansion was resolved in 2018.

The overall volume of bills was high; 3,128 bills and resolutions were introduced. County legislative staff reviewed the majority of this legislation in order to separate those bills of importance to the County from the hundreds of other measures not pertinent to local government, and referred 1,781 bills for review by County operational and legal staff. The Board took formal positions on 146 bills this year, and originally opposed or sought to amend 36 bills; at the end of the session, only 7 bills remained in that category. Of those seven, two were fixed the last week of the session and two are House and Senate versions of the same bill, so only four discrete proposals that the County sought to oppose or amend remain.

Though there were bills that created significant concerns for localities, most failed to survive the session, including one that would have targeted Fairfax County’s carefully-crafted short-term lodging ordinance (see also pages 12-13). On a positive note, legislation addressing the damaging effects of proffer reform legislation passed by the 2016 GA was successful. That legislation, proposed by the Home Builders Association of Virginia (HBAV), is expected to help mitigate the overreach of the 2016 law that led to a substantial slowdown in residential development throughout the state (see also pages 10-11).

Looking toward the 2020 GA session, the underfunding of core services will continue to be an issue for localities, particularly in the area of K-12. Though state revenues have substantially increased due to federal tax law changes enacted in 2017 and the impact of a U.S. Supreme Court decision allowing the collection of online sales taxes, the 2019 GA opted to spend much of that funding on tax cuts, rather than using it to restore the numerous budget cuts impacting core services in recent years. The 2020-2022 biennium budget will be the only full, two-year budget the Governor will have the opportunity to propose, and local governments will be working to ensure that the critical process of restoring structural budget cuts is a major area of focus in the 2020 GA.

COUNTY LEGISLATIVE INITIATIVES

SB 1663 (Barker), as passed, allows a locality’s subdivision ordinance to require the dedication and construction of sidewalks in accordance with the locality’s comprehensive plan when the need for the sidewalk is generated by the proposed development. Existing law only permits a locality to require the

dedication and construction of a sidewalk if adjacent property on either side of the subdivision has an existing sidewalk. That restriction increases gaps in the sidewalk network, a vital part of the County's transportation network, and makes it more difficult to complete sidewalks, particularly in older neighborhoods. **SB 1663** passed both the Senate and House unanimously, sending the bill to the Governor. A House companion bill, **HB 1913** (Bulova), also unanimously passed the House and was well on its way to passing the Senate when it took an unexpected turn. A floor amendment offered by Senator Peake replaced the language in the bill with new language giving localities the ability to maintain a sidewalk fund that could be used for sidewalk improvements in the locality – that language was the same as was contained in another bill patroned by Senator Peake, **SB 1699**, which passed the Senate but was defeated in the House. Unfortunately, the floor amendment would only permit the dedication and construction of a sidewalk if an adjacent property on either side of the proposed subdivision had an existing sidewalk, reintroducing the problem the County sought to fix. The House rejected the Senate amendment and the bill went into conference where the amendment was also rejected, making **HB 1913** again identical to **SB 1663** and sending it to the Governor.

Current law requires the governing body of each locality to work with the Virginia Department of Transportation (VDOT) annually to update its six-year secondary system construction program plan (SSYP). As part of that process, the local governing body is required to conduct a public hearing on the proposed plan prior to its adoption. However, due to changes to transportation funding formulas, state secondary road funding has decreased substantially, from approximately \$29 million for the County in 2004 to zero today. Conducting a public hearing to elicit input when there is minimal or no funding to allocate or reallocate creates confusion for members of the community, suggesting that there is additional funding available when that is not the case. As such, the County pursued legislation to require a public hearing only when a new funding allocation is substantial. **HB 2578** (Plum)/**SB 1684** (Petersen) requires that a governing body hold a public hearing on the SSYP only when the locality has a proposed new funding allocation greater than \$100,000. Both **HB 2578** and **SB 1684** passed the House and Senate unanimously. **SB 1684** advanced through the legislative process a bit more quickly and was signed by the Governor on February 21, 2019, while **HB 2578** awaits action by the Governor.

COUNTY PRINCIPLES/PRIORITIES

(1.) Funding Core Services – K-12 Education

Principle: Public education funding in the Commonwealth is enshrined in the Virginia Constitution as a joint responsibility of both state and local governments, so it is essential that the state fully meet its Constitutional responsibility to adequately fund K-12 education. Unfortunately, the Commonwealth continues to allow critical gaps to persist between state funding and the actual costs of providing a high-quality education, placing more of the fiscal burden on localities while substantially limiting local revenue sources, creating a discrepancy that has become increasingly untenable.

State funding for K-12 education is always a top priority issue in Fairfax County's Legislative Program. Funding for public schools in Virginia is a partnership between the state and localities, and should reflect that shared financial responsibility. However, it is the state that determines what costs it recognizes in its funding formulas, through the Standards of Quality and other means. The resulting state funding framework often substantially differs from the actual costs to school divisions of providing a high-quality education, leaving localities to fill critical funding gaps. At present, the state is failing to provide the funding necessary to implement its own standards and requirements, while Fairfax County and other Northern Virginia localities more than meet their responsibilities for K-12 education through large contributions to the state General Fund, strong local effort, and the effect of high local composite indices.

Though there have been some recent helpful infusions of state funding, the current funding formulas do not adequately address the challenges facing high cost of living localities like Fairfax County. Those challenges are exacerbated by structural features in the formulas that leave statewide funding far behind the inflation-adjusted FY 2009 level. As the Joint Legislative Audit and Review Commission (JLARC) noted in its recent review of K-12 spending, localities provided a majority of total funding for school divisions in FY 2014, contributing an additional \$3.6 billion beyond the minimum funding required. JLARC also noted that in FY 2013, Virginia ranked 23rd nationwide in total per-student spending, but 11th in the local share of this spending, reflecting Virginia's reliance on local effort and a growing imbalance in this partnership.

Virginia businesses emphatically assert that strong public schools and an educated workforce are essential elements in their decision to locate and remain in Virginia. Investments in early childhood and K-12 education provide a foundation for learning and achievement, often reducing or eliminating the need for more costly interventions and spurring economic development. Failure to adequately meet the needs of the youngest Virginians can create repercussions for individual families, the larger community, and the Commonwealth. Moving Virginia's economy forward requires substantially increasing state investments in K-12 education. It will be important for localities to continue to press the issue of funding for K-12 in the years to come, to ensure state funding continues to improve and that the state and local partnership needed to provide a high-quality public education system is restored.

(2.) Funding Core Services – Transportation Funding

Principle: The Commonwealth should build upon the successful enactment of significant transportation revenues by the 2013 GA to ensure sufficient funding for transportation needs.

Regional Funding

The 2018 GA passed a bill (**HB 1539/SB 856**) to provide funding and governance reforms for the Washington Metropolitan Area Transit Authority (WMATA), in order to enhance the safety, security, and efficiency of the system and its riders. The County and the region continue to work to implement those governance reforms. However, that legislation addressed WMATA funding needs at the expense of other significant projects throughout the region by diverting existing funding from the Northern Virginia Transportation Authority (NVTA) to WMATA. This reduced funding available for other critical transportation projects in Northern Virginia by \$102 million per year (approximately one-third of NVTA's revenues). In order to address this issue, **HB 2085** (Watts) was introduced, which would have raised the existing regional grantor's tax from \$.15 to \$.20 per \$100 valuation for WMATA jurisdictions. Half of the increased revenue would be provided to WMATA and the other half would be provided to the NVTA Fund. The rate for NVTA jurisdictions that are not members of WMATA would have remained at the existing rate, with two-thirds provided to the NVTA Fund and one-third retained by those jurisdictions. The legislation would also have increased the regional transient occupancy tax from two percent to three percent, with those funds being used to support WMATA as well. However, **HB 2085** failed to advance from the House Rules Committee.

Instead, much of the attention on regional transportation needs was focused on the I-81 corridor. As introduced, **HB 2718** (Landes) and **SB 1716** (Obenshain) would have authorized the Commonwealth Transportation Board (CTB) to impose tolls on I-81, subject to certain conditions and limitations. Toll revenues would be deposited in a new I-81 Corridor Improvement Fund, to be used for capital, operating, and improvement costs along the corridor. The bills would have required that annual toll passes for passenger vehicles be offered for purchase by the public – an annual pass was estimated to cost \$30 for unlimited trips on I-81, no matter the distance or number of trips travelled. The limitation on toll pricing, as well as the extremely low cost of the proposed annual pass created heated debate among legislators in Northern Virginia and Hampton Roads, where there are several toll facilities, several with a congestion pricing model (that can reach high levels) and annual passes are not available. As they went through the legislative process, additional concerns were raised by the trucking industry in particular, and the bills were amended to remove the tolling provisions altogether, instead simply directing the CTB to develop and update a corridor improvement program in consultation with a new regional committee. Slight differences in legislative language sent the bills to conference, where a last ditch effort to include additional revenues through an increased diesel tax and truck registration fee was made. That plan included some funding for other areas of the Commonwealth, but it was ultimately unsuccessful. The enacted versions of **HB 2718** and **SB 1716** only include provisions to create an I-81 fund, albeit with no actual funding, and direction to update the I-81 program in consultation with the new I-81 committee.

Other legislation related to I-81 included **HB 2571** (LaRock), which would have created the I-81 Corridor Transportation Commission to be responsible for allocating any revenues dedicated to it by the GA for improvements within the I-81 corridor. That legislation was tabled by a House Appropriations subcommittee. **HB 2575** (LaRock) would have authorized counties and cities in Planning Districts 3, 4, 5, 6, or 7 to impose an additional commercial and industrial tax up to \$0.10 per \$100 of assessed value, to be used for transportation costs. That bill was tabled by a House Finance subcommittee. **SB 1322** (Hanger) would have imposed an additional 2.1 percent motor fuels tax in localities along the I-81 corridor, with the revenues used to fund improvements along the corridor or to support debt to fund such improvements. **SB 1470** (Edwards) would have imposed an additional five percent fuel tax, with \$300 million of the new revenue reserved for improvements to I-81 and the remainder distributed according to existing allocation

formulas for transportation. **SB 1322** was incorporated into **SB 1470**, which was amended to instead direct the Secretary of Transportation to evaluate the impacts of increased fuel efficiency and use of hybrid and electric vehicles on transportation revenues, and to report to the GA by December 10, 2019. As amended, **SB 1470** passed the Senate 25-15, but was left in House Appropriations; however, similar language was included in the budget (as noted on page 17).

Northern Virginia regional funding was also discussed as part of other bills considered by the GA. Two bills related to casino gaming in the Commonwealth would have provided some funding to NVTa. Specifically, versions of **SB 1126** (Lucas) and **SB 1574** (Norment) included language requiring a percentage of adjusted gross receipts generated by a gaming establishment to be shared with the Commonwealth if gaming is authorized in the Commonwealth. During Senate consideration, language was added that would allocate 30 percent of those state revenues to transportation initiatives, with one-third each provided to NVTa, the Hampton Roads Transportation Fund, and projects in the I-81 corridor. **SB 1574** passed the Senate 40-0, but was left in House Appropriations. **SB 1126** passed the Senate 28-12 and was amended in the House to create the Commission on Gaming, which would analyze the Commonwealth's existing gaming industry and proposals to expand gaming in Virginia. **SB 1126** was sent to a conference committee and the final bill authorizes casino gaming in cities meeting certain criteria (none in Northern Virginia), limited to a single operator for each city provided that the project involves a minimum capital investment of \$200 million. As part of this effort, JLARC will review gaming laws in other states. For gaming to occur, the GA must reenact the legislation in 2020 and, if reenacted, the respective localities would have to pass local referendums. The bill, which passed the House and Senate comfortably, does not include any specific language pertaining to the distribution of revenues (see also page 65).

Taking regional funding in another direction, **SB 1770** (Deeds) would have increased the statewide gas tax by three percent to fund transportation statewide, while repealing the regional sales and gas taxes enacted in 2013 for Northern Virginia and Hampton Roads. **SB 1770** was passed by indefinitely by the Senate Finance Committee.

Smart Scale

Smart Scale, the statewide transportation project prioritization process implemented a few years ago, has consistently received attention at the GA as legislators are frequently dissatisfied with the scores assigned to a variety of projects. The 2019 session was no different, as efforts to modify Smart Scale were considered, though again they were unsuccessful. **HB 2633** (Delaney) would have prohibited the CTB from prioritizing a project that is likely to increase congestion over a project that would not increase congestion during the Smart Scale process. In a House Transportation subcommittee, **HB 2633** was amended to apply only to Planning District 8, but was then tabled by the full House Transportation Committee. **HB 2326** (Brewer) would have added maintenance of primary evacuation routes to the factors that must be considered by the CTB in Smart Scale. That bill was also amended in a House Transportation subcommittee, instead adding "primary evacuation routes" as a factor, but was also tabled by the full House Transportation Committee.

Statewide Transportation Allocation Formulas

The allocation of state transit funding has long been a contentious issue, as a variety of legislation has reduced funding for Northern Virginia (where the majority of the state's transit is located) while increasing funding for other parts of the state. As part of **HB 1539/SB 856** (2018), changes were made requiring allocation of state funding for transit operations based on effectiveness and efficiency service delivery factors established by the CTB. The Department of Rail and Public Transportation (DRPT) and the Transit Service Delivery Advisory Committee (TSDAC) are implementing this requirement, which must be in place by July 1, 2019, and will be applicable to the FY 2020-2025 Six-Year Improvement Program. A variety of scenarios were considered as part of this effort but all had one thing in common – funding for the Fairfax Connector was reduced. Under the most recent funding scenario released for public comment, Fairfax County would see a loss of approximately \$1 million in FY 2020 alone. To address reductions to several transit systems, **HB 2553** (Thomas) and **SB 1680** (Mason) were enacted to allow any mass transit provider that incurs a loss in operating funds as a direct result of the new process to receive transition assistance in FY 2020. **HB 2553** and **SB 1680** passed the House and Senate overwhelmingly. Additionally, budget amendments were considered to address this issue in different ways – some offered the same one-year transition assistance while others would have delayed the implementation of the process to allow an additional year for DRPT to prepare a new methodology. In the end, the decision was made to include

transition assistance in the budget rather than delaying implementation of the new allocation formula (see also page 17).

Legislation aimed at addressing large and unique bridge and tunnel structures was also considered during the session. The budget passed in 2018 required the CTB to prepare a report on the overall condition and funding needs of these structures. VDOT has identified 25 structures, designated as "VITAL" infrastructure (Very Large, Indispensable, Transportation Asset List), consisting of tunnels, movable bridges and large complex fixed-span structures. Given the magnitude of the identified needs, the report notes utilizing the State of Good Repair (SGR) program for funding would severely impact the ability of that program to accomplish its intended purpose, recommending creation of a dedicated program for vital infrastructure – a more comprehensive report will be presented in 2019. Legislation to address this issue was enacted by the 2019 GA. As introduced, **HB 2784** (Hodges) would have required the CTB to solicit proposals to design, build, operate, and maintain bridges to replace the Robert O. Norris Bridge on State Route 3 and the Downing Bridge on U.S. Route 360. As introduced, **SB 1749** (McDougle) would have established the Robert O. Norris Bridge and Statewide Special Structure Fund to be used for the purpose of funding maintenance and replacement of large and unique structures. The bills were ultimately combined to address both purposes with additional language to evaluate the feasibility of using the Public-Private Transportation Act of 1995 to design, build, operate, and maintain two bridges to replace both bridges – the bills do not include limitations on how much statewide funding could be used for such major projects. As amended, **HB 2784** and **SB 1749** passed both chambers unanimously.

Tolling/Interstate 66 (I-66)

The I-66 Express Lanes projects and tolling received some attention this session. **HB 2511** (Hugo) would have set the operating hours for I-66 Inside the Beltway Express Lanes from 6:30 a.m. to 9:00 a.m. for eastbound lanes and from 4:00 p.m. to 6:30 p.m. for westbound lanes. **HB 2643** (Delaney) would have limited the tolls on the I-66 Inside the Beltway Express Lanes to \$15, and would have extended that limitation to the I-66 Outside the Beltway Express Lanes once they are completed. **HB 2511** and **HB 2643** were reported from the House Transportation Committee and referred to the House Appropriations Committee, where they were both tabled by a subcommittee. To address traffic due to minor accidents during construction, **SB 1073** (Marsden) requires the driver of a vehicle involved in an accident on I-66 (in the segment under construction as part of the Express Lanes project) to move their vehicle to the nearest pull-off area if the driver can safely do so and there are no injuries or deaths resulting from the accident. The requirement expires when construction of the project is complete. **SB 1073** passed both the Senate and House unanimously. In addition to the legislation noted above, various budget amendments related to the Express Lanes project were also offered, but were not included in the final budget conference report.

Other legislation regarding tolling was also discussed this session. As introduced, **HB 2527** (Hugo) would have prohibited the imposition and collection of tolls on any primary, secondary, or urban highway in Planning District 8 not tolled as of January 1, 2019, without prior approval by the GA. The bill was eventually amended to apply only to the Fairfax County Parkway and the Prince William Parkway. It then passed the House (88-9) and the Senate unanimously. **HB 1703** (Guzman) would have imposed a tax at a rate of five cents per gallon on aviation jet fuel purchased or used in Virginia by United Airlines. The bill disbursed revenue from the tax to the Metropolitan Washington Airports Authority (MWAA), provided that MWAA entered into an agreement to use the proceeds to finance Silver Line Phase 2 and to reduce toll rates on the Dulles Toll Road. If MWAA did not enter into such an agreement, it could not receive any aviation fuel taxes collected by the Commonwealth. That bill was left in House Finance. **HB 1705** (Reid) would have permitted a high-occupancy vehicle carrying two or more occupants to use the eastbound lanes of the Dulles Airport Access Road, regardless of whether that vehicle was being used for airport-related purposes. That bill was left in House Transportation.

There were also various bills that addressed statewide tolling regulations. **HB 2489** (Jones, J.C.) requires the Commissioner of Highways to temporarily suspend toll collections in affected evacuation zones resulting from a mandatory evacuation during a state of emergency – current law gives the Commissioner that discretion. **HB 2489** passed the GA unanimously. **SB 1183** (Stuart) and **SB 1338** (Reeves) allow emergency medical services vehicles not owned by a political subdivision, nonprofit association, or corporation to use toll facilities for free while in the performance of their official duties. **SB 1338** was incorporated into **SB 1183**, which also passed unanimously. **HB 2437** (Torian) would have prohibited VDOT from charging monthly fees in connection with online monthly account statements for electronic toll collection devices, but that legislation was unsuccessful.

(3.) Governance – Local Authority

Principle: Existing local government authority should be preserved, particularly in such key areas as taxation and land use, and the protection of public health, safety, and welfare, where local governments must have sufficient authority to govern effectively. Further, local authority should be enhanced to provide localities more flexibility in the administration of local government, as appropriate community solutions differ significantly from one area of the state to another. Finally, local government representatives should be included on all commissions or other bodies established by the state for the purpose of changing or reviewing local revenue authority or governance.

Taxation

During the 2019 session, the GA enacted state tax changes in order to address the impacts of the Federal Tax Cuts and Jobs Act of 2017 (TCJA). Beginning in tax year 2018, TCJA includes numerous changes for individuals and businesses, with an estimated reduction in federal taxes paid by Virginia residents and businesses of about \$4 billion per year, largely due to the lowering of federal income tax rates. The TCJA also modified income definitions and rules, which created a sizeable state revenue increase by subjecting more income to Virginia's unchanged tax rates. Without changes to Virginia tax law, estimated increases in state revenue resulting from the TCJA would have amounted to \$594 million in FY 2019, growing to \$950 million in FY 2024. It is important to note that individual income tax changes under the new federal law are temporary and expire after tax year 2025, but the business tax changes are permanent.

Though Virginia typically conforms to federal tax changes without significant debate, the implications of the TCJA became an important issue this session, and it was not until mid-session that a conformity agreement was reached. The enactment of **HB 2529** (Hugo) and **SB 1372** (Norment) conformed Virginia to most of the new provisions in TCJA beginning in tax year 2018, while also reforming several Virginia income tax provisions to provide tax reductions. The new state tax law essentially eliminates the individual income tax revenue resulting from enactment of the TCJA, while in general the additional new business-related tax revenue generated for the state is retained in the state General Fund.

The first change enacted by the GA is that Virginia will provide a one-time individual income tax refund of up to \$110 for single filers and \$220 for married filers prior to October 1, 2019, to all taxpayers with tax liability. The expected cost is \$420 million. For businesses, \$32 million in permanent tax relief is provided beginning in tax year 2018 – this includes a subtraction modification to certain corporate global intangible low-taxed income (“GILTI”) and a partial 20 percent restoration of net interest deductions eliminated in the new federal law. Approximately \$80 million in increased state revenues in FY 2019 is reserved in a Taxpayer Relief Fund. These actions total approximately \$532 million in FY 2019, equaling the estimated individual income tax revenue resulting from federal tax reform. The remaining \$62 million, mostly resulting from federal business provision changes, remains in the state General Fund.

The bulk of the new state tax reform is effective in tax years 2019 through 2025, which matches the period of the federal individual income tax changes. For individuals, the Virginia standard deduction is increased from \$3,000 to \$4,500 for singles and those married filing separately, and from \$6,000 to \$9,000 for those married filing joint returns. New state law de-conforms from the federal \$10,000 limitation on property tax deductions, and allows an individual income tax deduction for the actual amount of real and personal property taxes imposed by Virginia or any other taxing jurisdiction. New state tax law also re-imposes the “Pease” limitation for high income taxpayers, reducing itemized deductions by three percent of the amount by which a taxpayer's adjusted gross income exceeds the threshold amount (\$261,500 for singles; \$313,800 for married filers).

Though much of the increased revenues have been utilized for tax reductions, the state will see increased revenues in the GF that will be available in future years for use on high priority core services. That presents an opportunity for the state to make substantial progress in restoring funding for a variety of shared local and state programs, including K-12.

Local Taxing Authority

Though the 2019 session did not see a plethora of bills aimed at limiting or eliminating local taxing authority, there were some bills considered that would have created significant fiscal implications for localities. **HB 2640** (Byron) would have changed a long-standing interpretation of one of the methods of valuation of

machinery and tools (M&T) currently specified in state law. Currently many localities value M&T based on a percentage or percentages of the cost when originally purchased – an approach affirmed by two opinions of the Attorney General, two rulings of the Tax Commissioner, and a Circuit Court decision upheld by the Virginia Supreme Court. Some other localities use a static percentage of the original cost, and some localities use a sliding scale of declining percentages over time, based on how long the machinery has been in use. **HB 2640** would have required the valuation instead to be based on a percentage or percentages of what the current owner paid for it, plus any cost incurred by the current owner to extend the useful life of the equipment, assuming the current owner acquired the equipment in an arm’s length transaction (acquired from anyone other than a member of the current owner’s affiliated group). This provision could create a situation in which identical equipment of the same age is valued differently, depending on whether it is still owned by the original owner or has been sold to a new owner. Though the bill was reported from the House Finance Committee 14-8, it failed to be engrossed on the House floor and did not move forward (language included in the House budget would have required the Secretary of Finance to submit legislation in the 2020 session to essentially exempt new machinery and tools from M&T taxes for up to five years, but that language was not included in the budget conference report) (see also page 23).

Another bill, **SB 1425** (Dunnavant), sought to assist small food-truck businesses. As introduced, the bill would have required that a food-truck owner would only have to pay license taxes in the jurisdiction in which the business was registered and where personal property taxes were paid on the truck. That broad applicability would have allowed even large, well-established businesses not to register or pay license taxes (generally, a “peddler’s license” capped at \$500 annually) in localities where they operate outside of their “home” jurisdictions. The bill was unanimously reported from Senate Finance, but members requested that the patron work with localities to address local governments’ concerns. The bill was substantially amended, and the revised version requires that food trucks continue to register with the Commissioner of the Revenue or the director of finance in localities in which they do business – an important safeguard for ensuring that meals and sales taxes collected are correctly apportioned – and the exemption from paying license taxes will only apply to small businesses (operating three or fewer trucks) in their first two years of operation. Amendments to carve out festivals or other special events were not accepted, but the final bill overall is a significant improvement over the bill as introduced. After it was amended, **SB 1425** was enacted by the GA.

Unfortunately, broad legislation to equalize taxing authority between counties and cities failed to pass the GA yet again (see also page 14), and more limited legislation allowing counties to levy taxes on cigarettes, whether pursuant to a referendum – **SB 1512** (Carrico) or without (**HB 1946** (Campbell, J.) – also failed. However, legislation that establishes definitions for certain alternative tobacco products used in “vaping,” **SB 1371** (Norment), also includes a provision extending language included in the 2018 budget directing the Joint Subcommittee to Evaluate Tax Preferences to study “possible reforms to the taxation of tobacco products that will provide fairness and equity for all local governments and also ensure stable tax revenues for the Commonwealth.” The bill passed both the Senate and House, and language extending the study was also included in the budget conference report (see also pages 23 and 65).

Land Use

Proffers and Impact Fees

When a developer requests a rezoning from the County (which typically means requesting more density than is currently allowed on that property), the developer may also voluntarily offer to have proffered “conditions” attached to that rezoning application. For a developer, such conditions may help mitigate the impacts of the rezoning on the County (such as increased traffic, additional public school students and an increased need for public facilities in that area, among other items). For the County and the community, such proffers help ensure that new development or redevelopment can offset these new impacts on public services and facilities, rather than passing those costs onto all taxpayers. It is important to note that proffers are negotiated between the County and developers – the County cannot simply impose proffers on a particular rezoning. The issue of proffers has often received significant attention by the GA, creating challenges when the GA makes changes to a fundamental local government responsibility like land use. In Fairfax County, the development process was cooperative and collaborative for decades. However, the 2016 GA enacted legislation at the request of HBAV to significantly restrict proffer authority for residential development for all localities in the Commonwealth, including the residential components of mixed-use development. Local governments, including Fairfax County, strongly opposed that legislation, knowing that it would have a tremendous impact on the development process.

Only three years later the negative consequences of the 2016 law were clear, affecting residential rezonings throughout the state. Those issues prompted off-session discussions among various stakeholders, including HBAV, local governments, and the Virginia Coalition of High Growth Communities. Months of intense discussion eventually led to compromise legislation designed to ameliorate the impacts of the 2016 changes. **SB 1373** (Favola) and **HB 2342** (Thomas), which changed very little throughout the legislative process after such lengthy and careful negotiations prior to the session, scale back the 2016 law in substantial ways. The 2016 law prevented a locality from suggesting, requesting, or accepting an unreasonable proffer, while **SB 1373** and **HB 2342** instead prevent a local governing body from requiring in writing an unreasonable proffer. The bills also allow an applicant to submit any onsite or offsite proffer that the applicant deems reasonable and appropriate. One of the provisions in the 2016 law that had a particularly chilling effect on communications between developers and localities was a change that created substantial legal jeopardy for localities, reducing the burden of proof on applicants while increasing penalties for local governments – in order to address this concern, **SB 1373** and **HB 2342** require that an applicant object in writing to any proffer condition they disagree with before the local governing body takes action on the rezoning application. Further, the 2016 law required that the court direct a locality to approve an application without the proffer being challenged if an applicant was successful in court, while **SB 1373/ HB 2342** will allow courts to amend an unreasonable proffer to bring it into compliance. Finally, **SB 1373/ HB 2342** state that “verbal discussions” during the application process cannot be used as the basis for determining that an unreasonable proffer or proffer condition amendment was required by the locality. Of particular interest to Fairfax County, no changes were made to any of the exemptions in the 2016 law – the County has several areas that are exempt from the 2016 law, including Tysons, Merrifield, and portions of Reston and Richmond Highway. With such a broad coalition supporting the bills, they passed both the House and Senate easily.

Several additional proffer bills were introduced in the 2019 GA, including **SB 1143** (Peake), **SB 1524** (Black), **HB 2276** (Murphy), and **HB 1801** (Ware). **SB 1143** and **HB 1801** were requested by Goochland County and incorporated various elements of **SB 1373** and **HB 2342**, but made an additional change that would have eliminated the requirement that a public facility improvement be in excess of existing public capacity at the time of the rezoning or proffer condition amendment. All those bills failed in favor of the consensus legislation negotiated prior to the session.

On a related note, two bills carried over from the 2018 session sought to improve existing impact fee authority for local governments. **SB 208** (Stuart) would have expanded localities’ options to use impact fees without mandating their use, and **SB 944** (Stuart) would have expanded localities’ authority to use impact fees, but also would have removed local authority to accept cash proffers. Both measures reported out of Senate Local Government at an off-session meeting in July 2018. During the 2019 GA, the bills were sent from the floor back to committee in favor of the compromise bills, and were ultimately referred to the Housing Commission for study of impact fee issues – while Fairfax County opposes reduced proffer authority in favor of impact fees, the possibility of using impact fees for by right development could provide another useful tool to local governments.

Stormwater

As has become typical, several stormwater bills were considered by the GA this session, and a number of bills that are helpful to the County were enacted. **SB 1400** (Petersen) allows any locality, by ordinance, to authorize contracts to provide loans for the initial acquisition and installation of stormwater management facilities as part of the Commercial Property Assessed Clean Energy (C-PACE) loan program. PACE is a financing tool designed to help building owners invest in equipment that will help save energy and water, reduce operating costs and improve property values (see also page 13). **SB 1248** (Reeves) and **HB 1614** (Cole) authorize any locality, by ordinance, to create a local stormwater management fund in order to provide grants to private property owners or common interest communities in order to assist with stormwater management and erosion prevention. Additionally, the issue of notice for homeowners or newly-formed homeowner’s associations (HOAs) of the existence of stormwater management facilities on their property or the HOA’s property has received increased attention, as homeowners and HOAs are often unaware and unequipped to ensure the required maintenance of such critical facilities. **HB 2019** (Murphy) creates a requirement for a residential property owner to disclose the presence of stormwater management facilities located on the owner’s property and any maintenance agreement for such facilities. Property owners within an HOA will also be required to disclose to a purchaser the existence of stormwater management facilities that the association has the obligation to repair, replace, or restore and any maintenance agreements for such facilities. **HB 2019** will provide helpful new information for homeowners, ensuring that they are aware

of facilities they will be required to maintain and fund. Another bill aiming to address a similar issue was also successful. **SB 1756** (Surovell) requires the developer of a common interest community to deliver to the president of the unit owners' association or to the board of directors of a property owners' association an inventory and description of stormwater facilities located on their property. The developer will also be required to deliver final site plans, applicable recorded easements, and agreements regarding the inventory and description of stormwater management facilities located in the common areas of a condominium or property owners' association property. That requirement will ensure that the associations are aware of the requirements for the maintenance, repair, or replacement of the stormwater facilities.

Additionally, several stormwater bills were defeated this session. **HB 2103** (Freitas) would have required the State Water Control Board to develop procedures allowing a developer to submit stormwater management plans that are sufficient for a particular proposed land-disturbing activity without requiring such plans to cover any subsequent land-disturbing activity anticipated at the same location or an adjacent location. **HB 2333** (Keam) would have authorized a locality to adopt an ordinance exceeding the minimum tree canopy requirements for tree preservation, planting, or replacement during the development process, in order to assist in achieving certain specific water quality or water quantity goals identified in the ordinance. **HB 2361** (Jones, S.C.) and **HB 2154** (Stolle) would have extended the grandfathered period for any land-disturbing activity that is eligible to take place pursuant to technical criteria adopted by the State Water Control Board prior to July 1, 2014. Finally, **HB 1879** (Convirs-Fowler) would have directed the State Water Control Board to adopt regulations requiring any local stormwater management authority that requires a residential landowner to maintain a stormwater management facility to record information about that facility with the deed for the property.

Eminent Domain

The GA continues to take an interest in issues surrounding eminent domain. As was the case in the 2018 session, there were only a few eminent domain bills in 2019, but the bills were largely unsuccessful this session. **SB 1403** (Petersen) would have eliminated specific provisions for the assessment of costs in an eminent domain proceeding where the condemnor is a public service company, public service corporation, railroad, or government utility corporation. The bill required that all costs be assessed in the same manner, regardless of the identity of the condemnor. The bill was amended in the House to exclude assessment of costs where the eminent domain proceeding involved an easement valued at less than \$10,000. The Senate rejected that amendment sending the bill to conference where no action was taken on the bill, killing it for this session. **SB 1404** (Petersen) would have required that the costs of filing a petition for the distribution of funds pursuant to an eminent domain proceeding would be taxed against the condemnor. Current law requires the landowner to pay the costs associated with filing a petition for the distribution of funds. The bill also would have required that interest payable on funds represented by a certificate of deposit would accrue at no less than the judgment interest rate until the funds are paid into the court. Because the County uses the quick take process and deposits funds along with the certificate of take, this change did not raise concerns for the County. This bill was also amended in the House to limit the rate to only the judgment rate of interest, but the Senate rejected that amendment and in conference no action was taken on the bill, defeating this bill as well. Finally, **SB 1039** (Peake), which would have removed the option for landowners in a condemnation proceeding to select commissioners instead of jurors to determine just compensation, was passed by indefinitely in Senate Local Government.

SB 1421 (Obenshain) was the only successful eminent domain bill this session, and it makes several changes related to authorization for entry to private property before eminent domain proceedings are initiated, including: requiring that the request for permission to inspect a property include the number of people who will be inspecting; removing the requirement that damage done to the property must be done maliciously, willfully, or recklessly for the owner to be reimbursed for costs, including the cost of at least three expert witnesses; broadening the method by which just compensation is calculated and expanding what can be considered in determining market value of property; and, allowing the property owner to recover damages resulting from the reformation, alteration, revision, amendment, or invalidation of a certificate of take recorded in an eminent domain proceeding.

Short-Term Lodging

In 2017, after extensive study and consideration over two sessions, the GA affirmed its intention to allow localities to adopt regulations for short-term lodging that are appropriate for their community. At that time, short-term lodging (renting out a residence for less than 30 days) was illegal in Fairfax County. In response to the GA's action, Fairfax County undertook an extensive public process to modernize and update its

ordinance to allow short-term lodging in residential areas. In July 2018, Fairfax County adopted an ordinance legalizing short-term lodging with reasonable restrictions, based on community feedback (the ordinance went into effect in October 2018). The Board also directed staff to conduct a review of the ordinance after 18 months, to assess how implementation of this new use was proceeding. Unfortunately, only a few months later, **SB 1701** (Ebbin) sought to undo the County's ordinance in contravention of the compromise reached by the 2017 GA.

As introduced, **SB 1701** would have required Fairfax County to allow short-term lodging for 180 days per year – three times as many days as are currently allowed. **SB 1701** would also have restricted the County's ability to respond to citizen complaints about short-term rentals by placing more restrictions on Fairfax County than the GA has placed on any other locality in the state. The County's authority to investigate complaints about illegal boarding houses, parking impacts, and large events, among others, would have been severely limited, potentially making safety issues very difficult to enforce. The bill was amended in Senate Local Government to remove language included in the introduced bill allowing the use of investment properties for short-term lodging, and was amended again on the Senate floor to allow code enforcement of short-term lodging for public health and safety purposes, but continued to move through the legislative process in spite of concerns from local government groups, the Northern Virginia Chamber of Commerce, the hospitality industry, and numerous County residents who expressed alarm that the County's process could be so easily upended. However, things finally changed when the bill got to a House Counties, Cities and Towns subcommittee. The subcommittee chairman announced early in the meeting to the packed audience that, due to the pending litigation in Fairfax County Circuit Court challenging the County's ordinance, the bill could not move forward – typically the GA does not enact laws while litigation is pending, though the Senate allowed **SB 1701** to proceed even after being informed of the litigation. In fact, many of the plaintiffs in the lawsuit against the County were the proponents of **SB 1701** and testified in favor of the bill throughout the legislative process. The subcommittee voted to pass the bill by indefinitely by a vote of 5-3 and the legislation failed, bringing an end to a regrettable chapter in the 2019 session.

Additional Land Use and Local Government Authority Bills

Among other land use and local government authority bills that passed the GA this year, **HB 1698** (Fariss) authorizes a locality to send a zoning administrator's appeal order using certified mail. Current law allows such orders to be sent by registered mail, which is more expensive than certified mail. **HB 2686** (Knight) changes the voting requirement of the Board of Zoning Appeals (BZA) from a majority of the membership to a majority of the membership present and voting. The patron expressed an interest in ensuring that members of a BZA reliably attend meetings, which was the impetus for the bill. The bill passed the House easily, but serious questions were raised at the very end of the session and the Senate vote was much closer (22-18). **HB 2375** (Roem) requires a local governing body to advertise and hold at least one public hearing before reducing the Planning Commission's review period of a proposed zoning ordinance amendment to less than 100 days. One bill that could be particularly helpful to localities interested in clean energy addresses the issue of PACE programs (see also page 11). **SB 1559** (Lewis) authorizes any locality, by ordinance, to authorize contracts providing loans for the initial acquisition and installation of shoreline resiliency improvements, including improvements for the mitigation of flooding or the impacts of flooding as part of the C-PACE loan program. Conversely, **HB 2269** (Poindexter) raises significant concerns for localities, particularly those in Northern Virginia. The bill prohibits the Governor, any state agency, or political subdivision from adopting any regulation establishing or bringing about the participation by the Commonwealth in the Transportation and Climate Initiative or any other regional transportation sector emissions program. Localities in Northern Virginia, including Fairfax County, participate in regional transportation programs that could be implicated by this bill – in fact, the federal law requires localities in non-attainment areas for air quality, including those in Northern Virginia, to participate in such regional programs, and it is unclear if this bill could interfere with those efforts. The bill passed on party-line votes in both the House and Senate. Another related bill, **HB 2611** (Poindexter), prohibits the Governor, any state agency, or political subdivision from adopting any regulation establishing a carbon dioxide cap-and-trade program or bringing about the participation by the Commonwealth in a regional market for the trading of carbon dioxide allowances. That bill also passed on party-line votes.

A variety of other land use and local government authority bills that were of note this year were defeated. **HB 2549** (Jones, S.C.) would have prevented localities from including areas designated as resource protection areas in a cluster zoning density calculation. **HB 2495** (Tran) would have prohibited localities from spraying pesticides intended to suppress an infestation of the fall cankerworm during the period between March 1 and August 1. **SB 1155** (Black) would have given localities the authority to adopt an ordinance to require trash receptacles at any business or multi-family residential property to be screened

from view. **HB 2364** (Knight) would have amended the definition of agritourism to include weddings. **HB 2736** (Hugo) and **SB 1783** (Boysko) would have changed employee grievance procedures, invalidating the County's Civil Service Commission. **HB 2084** (Watts) would have granted counties with populations over 100,000 the same taxing authority as municipalities, but would have required counties to pay for maintenance of secondary roads (after the roads met required VDOT maintenance standards). Lastly, **SB 1127** (Favola) and **HB 2189** (Kilgore) would have equalized city and county taxing authority.

Animals

Issues relating to animal care and protection were again considered this session, with mixed results. **SB 1058** (Favola) would have permitted localities to enact more stringent ordinances for the care of companion animals, which the County supported. However, that bill was left in the Senate Agriculture, Conservation and Natural Resources Committee. As introduced, **SB 1025** (Spruill) also included such expanded local authority while also seeking to expand tethering provisions. After passing the Senate, the bill was amended in the House to focus solely on tethering, which is the version of the bill that eventually passed both the House and Senate. **HB 1625** (Orrock) originally would have amended the definition of adequate shelter for companion animals to include exposure to adverse weather conditions. That bill was amended in the Senate with language providing a third try at including authority for localities to enact more stringent ordinances for the care of companion animals. **HB 1625** ultimately went to conference and yet again the provisions related to increased local government authority failed to advance, so the final bill that passed only included the adequate shelter provisions.

Shopping Carts

As introduced, **SB 1553** (Surovell) would have allowed any county with the urban county executive form of government (only Fairfax County) to enact an ordinance prohibiting the abandonment of any property in the County, or within specified districts within the County, including dilapidated furniture, appliances, machinery, equipment, shopping carts, building material, or other items of personal property. The abandoned property would have to be rusted, wrecked, junked, dismantled, or inoperative. Under such an ordinance, any item remaining abandoned for seven days after a notice of violation was given to the owner of the property would be presumed to be abandoned and subject to removal by the County. The owner of the property could then be charged for the cost of removal, a \$150 administrative fee, and potentially a Class 1 misdemeanor. Because the language in the draft was so broad and the County had concerns about implementation challenges, **SB 1553** was amended to focus on abandoned shopping carts, which have been a particular problem in some parts of Fairfax County. The bill would have given the County the authority to remove and dispose of abandoned shopping carts with notice to the owner, allowing the County to recover from the owner the costs of the removal and disposal of the abandoned cart. As amended, the bill passed Senate Local Government and the full Senate, but was defeated in a subcommittee of House Counties, Cities, and Towns after retailers raised concerns that the bill potentially punished the victim of a crime, as the carts are being stolen from the retail establishment.

(4.) State Budget

Principle: The Commonwealth should rebalance its resources and responsibilities so that the funding partnership with localities is restored, ensuring the delivery of critically needed services in communities throughout Virginia. State established standards for locally delivered services must be accompanied by state funding that is adequate to successfully provide those services, and accountability for successes and failures should be reciprocal, ensuring both the state and localities accept responsibility commensurate with their respective roles.

Highlights of Fairfax County Priorities in 2018-2020 Budget

State revenues have continued to fluctuate considerably in recent years, but the revenue picture has improved dramatically as a result of several recent factors. Overall state revenues have improved, and the state completed FY 2018 with a revenue surplus of over \$550 million. Additionally, the state anticipates increased revenues due to recent changes in federal tax law – without changes to Virginia tax law, estimated increases in state revenue resulting from the federal tax changes would have amounted to \$594 million in FY 2019, growing to \$950 million in FY 2024. Finally, after several years and substantial effort, the 2018 GA included expansion of Medicaid as envisioned in the Patient Protection and Affordable Care

Act in the 2018-2020 biennium budget, providing enhanced federal revenues and freeing up state dollars to be redirected to other critical needs.

As the 2019 GA session began, it was clear that there would be disagreements over how to address the impacts of federal tax changes and the increased Virginia revenues – the Governor proposed dedicating a significant portion of that money to making the Earned Income Tax Credit (EITC) fully refundable and to a variety of priority spending items, while Republican legislators wanted to use the funding for tax cuts. However, amid pressure from businesses, accountants, and others to provide tax certainty for those seeking to file tax returns and the chaos that hit Virginia politics from a variety of scandals, an unexpected agreement was reached around the midpoint of the session to provide some additional spending for targeted programs and a larger package of tax cuts than many expected. Once that decision was made, there was simply less revenue available to budget, and the final 2018-2020 biennium budget amendments are neither extremely positive nor extremely negative for localities. It is important to note, however, that state revenues have improved and that sizable revenues from federal tax reform have been set aside for future use as part of the tax agreement. It is essential that the state take that opportunity going forward to continue to increase investments in K-12 and other essential local programs and services after years of underfunding (see also page 9).

On a positive note, the budget conference report does not include a provision included in the Senate budget that would have altered the current calculation methodology of the Local Composite Index (LCI), which determines how state K-12 funding is allocated to localities throughout the Commonwealth. The proposed Senate amendment would have required the Department of Education to modify the LCI to incorporate the land-use assessment values for properties located within a land-use plan during the next rebenchmarking of K-12 costs for the 2020-2022 biennium. Though it was a language-only budget item, it would have resulted in the shifting of funds from urban to rural localities – such a change would have cost Fairfax County Public Schools (FCPS) at least \$7.6 million, though it is possible that the fiscal impact would have been much larger. This issue has come up before at the GA, typically through legislation, which has failed to advance in previous sessions and even in 2019. **HJ 643** (Webert) would have requested the Department of Education to recalculate the LCI for each locality after determining the use value of real estate in those localities that have opted to assess and tax real estate based on use value – that resolution was stricken from the docket in House Rules. **SB 1471** (Hanger) would have implemented this change without studying it first; it was passed by indefinitely in Senate Finance. The County has historically opposed such efforts to modify individual components of the LCI, as a comprehensive approach should be taken to address factors such as cost of living, among others.

Priority Budget Items for Fairfax County in Conference Report (HB 1700)

K-12 Funding

Provides \$72.8 million in FY 2020 for the state's share of an additional two percent salary increase, effective September 1, 2019, instead of July 1, 2019, as proposed by the Governor. This increase is in addition to the three percent increase provided as part of the biennium budget adopted in 2018. FCPS will receive \$6.5 million in FY 2020 for the two percent salary increase; however, shifting the effective date two months later results in \$1.4 million less for FCPS than what was included in the Governor's budget. If FCPS implements a 2 percent salary increase in September 1, 2019 rather than in July 1, 2019, it would save \$4 million for a net cost of \$34.1 million. FCPS's Advertised Budget includes funding for teacher salary increases effective July 1, 2019, and the net cost of the 2 percent is approximately \$38.1 million.

State-Supported Constitutional Officers and Local Employees Salary Increase

Increases the across the board salary adjustment from two to three percent for state-supported local employees, effective July 1, 2019, instead of providing the one percent bonus included in the Governor's introduced budget. Fairfax County will receive an additional \$320,000 in FY 2020.

Communications Sales and Use Tax (CSUT)

Transfers \$2 million from the CSUT to the General Fund in FY 2020, reversing the Governor's proposal to eliminate the transfer in FY 2020 (the budget passed by the 2018 GA had diverted \$2 million from the CSUT to the General Fund in both years of the biennium). This diverts a local tax to the state General Fund, which violates the agreement that was reached in 2007 to reform the CSUT.

Stormwater

Eliminates the entire proposed deposit for the Stormwater Local Assistance Fund (SLAF) in FY 2020, but retains the \$20 million in FY 2019 that was included in the 2018-2020 biennium budget adopted by the 2018 GA. Also authorizes \$10 million in bond proceeds for SLAF.

Water Quality Improvement Fund (WQIF)

Reverses the supplemental deposit to WQIF in FY 2019 and FY 2020.

Body-Worn Cameras

Establishes guidelines for staffing requirements in Commonwealth's Attorneys' offices to hire one Assistant Commonwealth's Attorney for every 75 body-worn cameras utilized by local law-enforcement officers. The amendment allows localities to use a different funding formula but only with the consent of their Commonwealth's Attorney's office. Fairfax County is currently analyzing its body-worn camera pilot program, which ended last year. If the County decides to proceed with a body-worn camera program, the estimated annual cost to fund this ratio is approximately \$2.4 million. It is important to note that the Commonwealth's Attorneys' request was higher than the 1:75 ratio, and included attorney positions as well as paralegal and administrative support staff.

Also directs the Secretary of Public Safety and Homeland Security to continue and expand the scope of the workgroup examining workload issues, as well as other fiscal and policy impacts, as a result of the use of body-worn cameras. Local government representatives are included among required workgroup participants. Also requires the Commonwealth's Attorney's office in each locality that employs body-worn cameras to submit information on the program to the Compensation Board and the workgroup on a quarterly basis. A report is due to the money committees by November 15, 2019.

Regional Science Center

Provides \$2.3 million in FY 2020 for detailed planning for a Regional Science Center in Northern Virginia. The Regional Science Center would be a permanent, larger location for the Children's Science Center.

Online Sales Tax and the Major Headquarters Workforce Grant Fund

Includes language relating to remote seller sales tax nexus and marketplace facilitator sales tax nexus to respond to the provisions of the U.S. Supreme Court decision in the *South Dakota v. Wayfair, Inc.* case. The state has estimated that the total potential revenue from this change is approximately \$145 million annually. It is important to note that questions have been raised about the reliability of the state estimate, which has been revised several times, as many of the major online retailers already remit sales taxes in Virginia. If the state estimate materializes, the County estimates it would potentially receive \$4 million in online sales tax in FY 2020.

Of the \$145 million in online sales taxes, the conference report transfers the first \$40 million of remitted online sales tax, beginning July 1, 2020, to the Major Headquarters Workforce Grant Fund established by the 2019 GA as part of the Amazon incentive package; this decreases the amount of online sales tax that could be distributed to localities. As a result, Fairfax County estimates it would receive about \$1.2 million less in its General Fund, bringing the total that the County estimates it would potentially receive in online sales tax to \$2.8 million in FY 2021, if the state estimate materializes.

Community Services Board (CSB) Funding

Provides \$200,000 to the Fairfax-Falls Church CSB in funding for the Program of Assertive Community Treatment (PACT) Team, and directs the Department of Behavioral Health and Developmental Services (DBHDS) to report on the funding and cost effectiveness of the PACT program by November 1, 2019.

Requires DBHDS, in consultation with the Department of Medical Assistance Services (DMAS), to monitor the impact of Medicaid expansion on CSBs. If the amount of new revenue generated as a result of expansion is at least 10 percent less than the savings assumed in the budget, the Commissioner of DBHDS may allocate up to \$7 million in NGF to replace lost revenue by May 15, 2019. Assistance may be provided to an individual CSB, rather than requiring that Medicaid reimbursements to all CSBs fall short of GF

reductions before assistance may be provided. The amendment also requires DBHDS to report to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance Committees on how the expected GF savings compare to actual Medicaid payments for FY 2019, so that the expected GF savings in FY 2020 may be adjusted by the 2020 GA.

Provides \$7.8 million GF statewide in FY 2020 to accelerate crisis services pursuant to the STEP-VA initiative, which requires that crisis services be implemented by FY 2021.

Out of the \$2.5 million GF in FY 2020 included in the Governor's budget, \$750,000 is designated for one-time expenditures for developmental disability services, with priority given to projects that serve individuals with developmental disabilities in the Northern Virginia region (Region 2) who have been discharged from state training centers or who are at risk of institutional placement. DBHDS will report on the allocation of these funds to the Chairmen of the House Appropriations and Senate Finance Committees by September 15, 2019.

Northern Virginia Family Services (NVFS)

Provides \$500,000 NGF from the TANF block grant in FY 2020 for NVFS to expand early childhood education and adult workforce development programs.

Temporary Assistance for Needy Families (TANF)

Provides \$300,000 GF and \$3.2 million NGF in FY 2020 to increase TANF benefits by five percent. The last increase in benefits was a 2.5 percent increase in July 2017. The average monthly payment for a TANF family is \$314. Also directs the Department of Social Services (DSS) to conduct a comprehensive review of TANF in meeting the needs of lower-income families, and report on a plan to the Joint Subcommittee for Health and Human Resources Oversight by October 1, 2019.

Virginia Mental Health Access Program

Provides \$1.2 million GF in FY 2020 to contract with the Virginia Mental Health Access Program to develop integrated mental health services for children. This appropriation will likely enable the project to be implemented in Northern Virginia in FY 2020, as Inova and Children's National Hospitals are participating and offering in-kind assistance.

Virginia Preschool Initiative (VPI)

Provides \$3.5 million in FY 2020 for the Virginia Preschool Initiative Plus (VPI+) program, which is currently supported by federal Preschool Development Grant Funds that expire after FY 2019. Also requires a local match of 40 percent for FY 2020.

TRANSPORTATION

Statewide Transit Operations Funding

Provides transition assistance for agencies adversely impacted by new statewide transit operating funding formulas, including the Fairfax Connector. The language is similar to **HB 2553/SB 1680** (see Statewide Transportation Allocation Formulas section on pages 7-8).

Transportation Funding Sustainability

Directs VDOT to establish a workgroup to evaluate the impact of increased fuel efficiency and increased use of hybrid and electric vehicles on transportation revenues. The workgroup will examine potential options to provide a sustainable funding stream for transportation infrastructure, and the report is due to relevant House and Senate committees by December 10, 2019. Similar legislation (**SB 1470**) was also considered independently (see Regional Funding section on pages 6-7).

**BUDGET PROPOSALS FOR FY 2018 - FY 2020 DURING THE 2019 GENERAL ASSEMBLY SESSION
as of February 27, 2019**

Estimated Impact to Fairfax County - Increase/Decrease Over Prior Fiscal Year (\$ million)

	Governor's Budget		House		Senate		Conference	
	FY 2019*	FY 2020	FY 2019*	FY 2020	FY 2019*	FY 2020	FY 2019*	FY 2020
Direct County Impact								
Provides a one-time 1 percent bonus for State-Supported Local Employees in FY 2020	\$0.00	\$0.20	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Increases the across the board salary adjustment from 2 percent to 3 percent for State-Supported Local Employees in FY 2020	\$0.00	\$0.00	\$0.00	\$0.32	\$0.00	\$0.00	\$0.00	\$0.32
TOTAL DIRECT COUNTY IMPACT	\$0.00	\$0.20	\$0.00	\$0.32	\$0.00	\$0.00	\$0.00	\$0.32
TOTAL OVER THE BIENNIUM	\$0.20		\$0.32		\$0.00		\$0.32	

* Compares to County's FY 2019 Adopted Budget

Impact to the Fairfax County Public Schools' (FCPS) FY 2020 Operating Fund Budget	
Governor Northam's Budget: Compared to FCPS' FY 2019 Approved Budget, Governor Northam's budget includes \$27.2 million more in state aid and \$9.2 million more in sales tax revenue for FY 2020. The impact of Governor Northam's budget is reflected in FCPS' FY 2020 Proposed Budget released on January 10, 2019.	
House: Compared to FCPS' FY 2019 Approved Budget, the House budget amendments include \$23.6 million more in state aid and \$9.2 million more in sales tax revenue for FY 2020. Compared to FCPS' FY 2020 Proposed Budget, the House budget amendments include \$3.6 million less in state aid and no change in sales tax revenue.	
Senate: Compared to FCPS' FY 2019 Approved Budget, the Senate budget amendments include \$23.5 million more in state aid and \$9.2 million more in sales tax revenue for FY 2020. Compared to FCPS' FY 2020 Proposed Budget, the Senate budget amendments include \$3.7 million less in state aid and no change in sales tax revenue.	
Conference: Compared to FCPS' FY 2019 Approved Budget, Conference budget amendments include \$23.5 million more in state aid and \$9.2 million more in sales tax revenue for FY 2020. Compared to FCPS' FY 2020 Advertised Budget, the Conference budget amendments include \$3.7 million less in state aid and no change in sales tax revenue.	

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Budget Bill Item #	Issue	Fairfax County Impact
Compensation		
<u>State-Supported Employee Compensation</u>		
474.AC1	Governor Northam's Budget: Provides a one-time bonus of 1 percent for all Constitutional officers and state-supported local employees effective December 1, 2019 (FY 2020).	Results in a one-time increase of \$190,000 in FY 2020. This is in addition to the 2 percent salary increase effective July 1, 2019, for which Fairfax County will receive an increase of approximately \$640,000.
474 #5h	House: Provides \$8.9 million in FY 2020 for state-supported local employees to increase the across the board salary adjustment from 2 percent to 3 percent. Removes the 1 percent bonus proposed by the Governor.	Results in an additional \$320,000 in FY 2020.
474 #2s	Senate: Removes the 1 percent bonus for all Constitutional officers and state-supported local employees.	Results in a decrease of \$190,000 in FY 2020 compared to the Governor's budget.
474 #4c	Conference: Increases the across the board salary adjustment from 2 percent to 3 percent for state-supported local employees effective July 1, 2019. Removes the 1 percent bonus proposed by the Governor.	Results in an additional \$320,000 in FY 2020.
Public Safety		
397	<u>State Aid to Localities with Police Departments (HB 599)</u>	
	Governor Northam's Budget: No change from the adopted budget, which had provided \$6.6 million in FY 2019 and an additional \$7.2 million in FY 2020 based on a projected General Fund (GF) revenue growth rate of 3.7 percent and 3.9 percent, respectively. Statutory policy requires that HB 599 funding increase at the rate of GF revenue growth. House/Senate/Conference: No change.	No change from the adopted budget, which had resulted in an increase of \$900,000 for Fairfax County in FY 2019 and \$1 million in FY 2020.
<u>Body-Worn Cameras</u>		
70	Governor Northam's Budget: Provides funding of \$0.7 million in FY 2020 for body-worn camera review in Commonwealth's Attorneys' offices.	TBD. It is unclear how these funds will be distributed to localities with body-worn camera programs.
70 #1h	House: Provides \$0.7 million in FY 2020, in addition to \$0.7 million included in the Governor's budget to fund additional positions within the Commonwealth's Attorneys' offices.	
70	Senate: No change.	
70 #1c	Conference: Same as the House.	
73 #1s	Senate: Establishes guidelines for staffing requirements for Commonwealth's Attorneys' offices to hire one Assistant Commonwealth's Attorney for every 75 body-worn cameras employed by local law enforcement officers.	A budget Q&A has been prepared by staff, identifying the first-year cost for a body-worn camera program at \$7.9 million and a recurring cost of \$6.1 million thereafter. Of that, the annual cost resulting from the 1:75 ratio is \$2.4 million. It is important to note that the Commonwealth's Attorney's request was higher than the 1:75 ratio and included attorney positions as well as paralegal and administrative support staff. The County is currently analyzing its body-worn camera pilot program, which ended last year. Because it takes time for cases with body-worn camera footage from the pilot to reach the Commonwealth's Attorney for case review, there is not enough data to accurately determine the number of additional staff required to address the increased workload. County staff will continue to work with the Office of the Commonwealth's Attorney as additional cases come up for review, and benchmark with other jurisdictions.

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Budget Bill Item #	Issue	Fairfax County Impact
70 #2c	Conference: Establishes guidelines for staffing requirements for Commonwealth's Attorneys' offices to hire one Assistant Commonwealth's Attorney for every 75 body-worn cameras employed by local law enforcement officers.	The annual cost for the County resulting from the 1:75 ratio is estimated at \$2.4 million.
38 #3h	House: Directs the Executive Secretary of the Supreme Court to continue and expand the scope of the workgroup examining workload issues, as well as other fiscal and policy impacts, as a result of the use of body-worn cameras.	
381 #1c	Conference: Directs the Secretary of Public Safety and Homeland Security to continue and expand the scope of the workgroup examining workload issues, as well as other fiscal and policy impacts, resulting from the use of body-worn cameras. Local government representatives are included in the required workgroup participants. Also requires the Commonwealth's Attorney's office in localities that employ body-worn cameras to submit information on the program to the Compensation Board and the workgroup on a quarterly basis. A report is due to the money committees by November 15, 2019.	
47	Governor Northam's Budget: Provides funding of \$0.6 million for the Indigent Defense Commission in FY 2020 to fund 20 paralegal positions to lessen workload impact from body-worn camera review.	TBD. It is unclear how these funds will be distributed to localities with body-worn camera programs.
47	House/Senate/Conference: No change.	
4-5.04 #1h and #2c	House/Conference: Prohibits state agencies from using funds to purchase or implement body-worn cameras or systems.	
Revenue		
Health Department		
292	Governor Northam's Budget: Provides \$0.3 million in support for rent increases at local health departments. In addition, provides \$1.5 million to support childhood immunizations. House/Senate/Conference: No change.	No impact for Fairfax County from the rent increase funding. Fairfax County may receive a small amount of funding and/or vaccine from the Virginia Department of Health to support childhood immunizations.
Communications Sales and Use Tax		
3-1.01	Governor Northam's Budget: Eliminates the transfer of Communications Sales and Use Tax revenues to the General Fund in FY 2020; however, still diverts \$2 million in FY 2019.	Diverts a local tax to the state General Fund, which violates the agreement that was reached in 2007 to reform the Communications Sales and Use Tax. The elimination of the transfer in FY 2020 is a positive development.
3-1.01 #6h	House: Restores the second year transfer of \$2 million from Communications Sales and Use Tax revenues to the General Fund in order to provide increased resources for the Virginia Telecommunication Initiative, a program that assists localities with acquiring access to broadband telecommunications.	Other localities will receive this funding for broadband.
3-1.01 #1s	Senate: Restores the second year transfer of \$2 million from Communications Sales and Use Tax revenues to the General Fund.	
3-1.01 #6c	Conference: Same as Senate.	Diverts a local tax to the state General Fund, which violates the agreement that was reached in 2007 to reform the Communications Sales and Use Tax.

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Budget Bill Item #	Issue	Fairfax County Impact
Other Items of Interest		
<u>Water Quality Improvement Fund (WQIF)</u>		
362	Governor Northam's Budget: Directs \$73.8 million for the mandatory deposit to the Water Quality Improvement Fund (WQIF) associated with the FY 2018 year-end surplus; provides an additional \$20 million in FY 2019 and \$15 million in FY 2020 for WQIF.	Likely positive. Fairfax County has used WQIF for projects in the past, and likely will have future projects that qualify for WQIF funding.
362 #1h	House: Reverses the proposed supplemental deposit of \$15 million in FY 2020 for WQIF; does not impact FY 2019.	
362 #1s	Senate: Reverses the proposed supplemental deposit of \$20 million in FY 2019 and \$15 million in FY 2020 for WQIF.	
362 #4c	Conference: Same as Senate.	
<u>Stormwater Local Assistance Fund (SLAF)</u>		
368.C1	Governor Northam's Budget: Provides funding of \$50 million for SLAF in FY 2020, in addition to the \$20 million in FY 2019 included in the 2018-2020 biennium budget adopted by the 2018 GA	The County's Legislative Program includes support for SLAF, and the County has received SLAF funding for a number of projects.
368 #1h	House: Reverses the proposed deposit of \$50 million in FY 2020 for SLAF; does not impact FY 2019.	
368 #1s	Senate: Reduces by \$40 million the proposed deposit in FY 2020 for SLAF.	
368 #1c, C-48.10 #1c	Conference: Same as House. Also authorizes \$10 million in bond proceeds for SLAF.	
<u>Virginia Telecommunication Initiative</u>		
106 L1	Governor Northam's Budget: Provides an additional \$46 million in FY 2020 (for a total of \$50 million) to extend broadband service to currently unserved areas.	TBD.
106 #1h	House: Reverses the additional \$46 million in FY 2020 to extend broadband service to currently unserved areas.	
106 #1s	Senate: Reduces by \$31 million the amount provided to extend broadband service to currently unserved areas.	
106 #4c	Conference: Same as Senate.	
<u>Virginia Economic Development Partnership (VEDP)</u>		
122	Governor Northam's Budget: Increases funding by \$20 million in FY 2019 to enhance the Virginia Business Ready Sites Program.	TBD.
122 #1h	House: Reverses the proposed \$20 million in FY 2019 to enhance the Virginia Business Ready Sites Program.	
122 #1s	Senate: Reduces by \$19 million in FY 2019 the amount provided to enhance the Virginia Business Ready Sites Program. Provides an increase of \$1 million in each year for the program.	
122 #1c	Conference: Reduces by \$18 million in FY 2019 the amount provided to enhance the Virginia Business Ready Sites Program. Provides an increase of \$1 million in each year for the program.	
<u>Housing Trust Fund</u>		
105	Governor Northam's Budget: Provides \$30 million (\$19 million increase compared to the adopted budget) over the biennium to support the Housing Trust Fund.	The County's Legislative Program includes support for additional appropriations to the Virginia Housing Trust Fund.
105 #1h	House: Reverses the proposed \$19 million increase over the biennium to support the Housing Trust Fund.	
105 #1s	Senate: Reduces the proposed \$19 million increase over the biennium to an additional \$1.5 million each year for the Housing Trust Fund.	
105 #1c	Conference: Same as Senate.	

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Budget Bill Item #	Issue	Fairfax County Impact
<u>Virginia Complete Count Commission</u>		
62	Governor Northam's Budget: Provides \$1.5 million in FY 2019 to support education, outreach, and preparation for community participation in the 2020 Census.	TBD.
62 #1h, #1s, #1c	House/Senate/Conference: Reverses \$1.5 million in FY 2019 in support of education, outreach, and preparation for community participation in the 2020 Census.	
<u>Elections</u>		
475 R	Governor Northam's Budget: Provides \$5.9 million in FY 2020 to reimburse the Department of Elections and localities for presidential primary expenses.	Likely positive, as the County's Legislative Program includes support for state funding for election administration (including training for local electoral board members, registrars, and elections officials), although it is unclear how funds will be distributed to localities throughout the state.
475 #4h, #1s, #1c 83 #5c	House/Senate/Conference: Eliminates \$5.9 million in FY 2020 that the Governor included to reimburse the Department of Elections and localities for presidential primary expenses. Retains \$147,000 GF in FY 2020 included in the Governor's introduced budget for expenses incurred by the state Department of Elections for the 2020 presidential primary.	
83	Governor Northam's Budget: Adds funding of \$0.6 million and three positions to enhance training for local elections officials and \$0.3 million and two positions to enhance voter list maintenance processes.	Likely positive, as the County's Legislative Program includes support for state funding for election administration (including training for local electoral board members, registrars, and elections officials), although it is unclear how funds will be distributed to localities throughout the state.
	House: No change.	
83 #3s 83 #6c	Senate/Conference: Reduces by \$0.2 million and one position the funding provided in the introduced budget for local elections officials training.	
<u>Science Museum of Virginia</u>		
C-44.20	Governor Northam's Budget: Includes detailed planning funds for the construction of a Regional Science Center in Northern Virginia. Overall, \$29.6 million is included in FY 2019 for a list of projects, including this project.	The County supports funding for the Children's Science Center, and asked the Governor to include funding in his budget.
C-44.20 #1h	House: Eliminates the entire funding of \$29.6 million.	
C-44.20 #1s	Senate: Decreases the total amount of funding from \$29.6 million to \$19.2 million; appears to maintain the funding included for detailed planning funds for the construction of a Regional Science Center in Northern Virginia.	
C-44.20 #1c, C-21.75 #1c	Conference: Eliminates all detailed planning funds (\$29.6 million in FY 2019) for a list of projects, but provides \$2.3 million in FY 2020 for detailed planning funds for a Regional Science Center in Northern Virginia.	

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Budget Bill Item #	Issue	Fairfax County Impact
	<u>Machinery and Tools Tax Rate Study</u>	
255 #1s	<p>Senate: Convenes a working group to study a plan that would allow Virginia to require all localities to assess a "zero" rate on a manufacturer's machinery and tools for the first five years the equipment is put into service. The funds to reimburse local governments would be provided by the state using new sales and use tax revenues from requiring remote sellers to collect sales tax. Funds, not to exceed \$50 million annually statewide, would be distributed to localities following a reimbursement method similar to the method used for the Communications Sales and Use Tax Trust Fund.</p> <p>Conference: No language.</p>	Preserving local government authority, particularly in such a key area as taxation, is a priority for the County. This study raises considerable tax policy concerns.
	<u>Cigarette Taxes Study</u>	
3-5.17 #1s, #1c	<p>Senate/Conference: Extends from November 2018 to November 2019 the conclusion of a study of options for the modernization of cigarette taxes and possible reforms to the taxation of tobacco products.</p>	Study could provide fairness and equity for all local governments.
	<u>Exchange of Offender Medical Information</u>	
391 #2h, #2c	<p>House/Conference: Requires the Department of Corrections to develop improved policies related to the exchange of offender medical information with a report due by October 1, 2019.</p>	
	<u>Decriminalization of Marijuana</u>	
4-14 #3s	<p>Senate: Reduces penalties for possession of marijuana to a fine of not more than \$500 and makes a first offense violation eligible for expungement.</p> <p>Conference: No language.</p>	
	<u>Sales Tax from Remote Sellers</u>	
4-14 #1c	<p>Conference: Includes language relating to remote seller sales tax nexus and marketplace facilitator sales tax nexus in response to the provisions of the Wayfair decision.</p>	The state estimated that the total potential revenue from this change is approximately \$145 million annually. However, some concerns have been raised about the reliability of the state estimate, as many of the major online retailers already remit sales taxes in Virginia. Fairfax County's General Fund is estimated to receive about \$4 million in FY 2020 if the state estimate materializes.
	<u>Major Headquarters Workforce Grant Fund</u>	
4-14 #2c	<p>Conference: Beginning July 1, 2020, directs the transfer of the first \$40 million of sales and use taxes remitted by online retailers with a physical presence in Virginia to the Major Headquarters Workforce Grant Fund established by the 2019 GA as part of the Amazon incentive package.</p>	Would decrease the amount available to be distributed to localities. The impact to Fairfax County's General Fund would be a decrease of about \$1.2 million, bringing the total the County estimates it would potentially receive in online sales tax to \$2.8 million in FY 2021, if the state estimate materializes.

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Budget Bill Item #	Issue	Fairfax County Impact
Human Services		
Medicaid Expansion		
307 341 348	Governor Northam's Budget: Provides approximately \$1.7 million GF and \$1.7 million NGF in FY 2019 and \$11.2 million GF and \$23.7 million NGF in FY 2020 to cover the estimated cost of administering the Medicaid expansion work requirements (also referred to as the 1115 demonstration waiver). Also adjusts appropriations to properly account for the administrative costs associated with Medicaid expansion, and modifies language related to provider coverage and provider payment rate assessments to clarify current policy.	TBD. It is not clear if the Virginia Department of Social Services (DSS) or local departments of social services will be responsible for administering the work requirements.
3-5.15 #1h	House: Clarifies that the hospital provider assessment language includes administrative costs such as administering the provisions of the Section 1115 waiver.	Likely no impact.
3-5.15 #1s, 3-5.16 #1s	Senate: Reverts the language related to the provider coverage and provider payment rate assessments to the language passed by the 2018 GA.	Likely no impact.
307 #10c 348 #3c, 3-5.15 #1c	Conference: Makes a technical correction to provide approximately \$1.7 million NGF in FY 2019 and \$11.2 million NGF in FY 2020 for administrative costs associated with Medicaid expansion, providing this funding from the Health Care Coverage Assessment Fund instead of from the General Fund. Also clarifies that the hospital provider assessment language includes administrative costs, such as administering the provisions of the Section 1115 waiver, and requires Department of Medical Assistance Services (DMAS) to submit an annual report on the administrative costs included in the coverage assessment.	Likely no impact.
307 #5s	Senate: Directs DMAS, in collaboration with DSS, to contract with a vendor for a pilot program to improve screening services for income and assets as part of the Medicaid eligibility determination process for both initial applications and renewals. The pilot program would include new methods to increase automation of various financial accounts to improve the verification process for eligibility. The pilot will also develop and evaluate methods to monitor compliance with the provisions of the Training, Education, Employment, and Opportunity Program (TEEOP). The savings generated from improvements in the eligibility process would be used to pay for the vendor costs of the pilot program.	Likely positive, as automation could result in efficiencies that improve the Medicaid eligibility determination process.
307 #1c	Conference: Authorizes DMAS, in collaboration with DSS, to assess the feasibility of a pilot program to improve screening services for income and assets as part of the Medicaid eligibility determination process for both initial applications and renewals. The pilot program could include increased automation of various financial accounts to improve the verification process for eligibility. The pilot could also include methods to monitor compliance with the provisions of TEEOP. DMAS will notify the chairmen of the money committees of any viable proposals.	Likely positive, as automation could result in efficiencies that improve the Medicaid eligibility determination process.

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Budget Bill Item #	Issue	Fairfax County Impact
310	<p>Governor Northam's Budget: Requires the Department of Behavioral Health and Developmental Services (DBHDS), in consultation with DMAS, to monitor the impact of Medicaid expansion on the Community Services Boards (CSBs). If the amount of new revenue generated as a result of expansion is at least 10 percent less than the savings assumed in the budget, the Commissioner of DBHDS may allocate up to \$7 million in NGF to replace lost revenue.</p> <p>House: No change.</p>	<p>Likely positive, though it is unclear how DBHDS will allocate the \$7 million if it becomes available. Localities, including Fairfax County, have raised concerns about reductions to CSBs being greater than increased Medicaid revenue resulting from Medicaid expansion. DBHDS will be reducing state funding to the Fairfax-Falls Church CSB in FY 2019 by \$1.69 million and in FY 2020 by \$4.36 million, based on the assumption that the CSB will receive increased revenue as a result of newly-eligible Medicaid participants. However, the Fairfax-Falls Church CSB anticipates that the maximum additional billings resulting from newly-eligible Medicaid participants will be only \$915,000 in FY 2019, far short of the \$1.69 million reduction.</p>
310 #2s	<p>Senate: Modifies language in the introduced budget to allow assistance to be provided as of April 15, 2019, instead of at the end of FY 2019, so that the provision of critical services is not disrupted. The amendment also clarifies that assistance may be provided to an individual CSB rather than requiring that Medicaid reimbursements to all CSBs fall short of GF reductions before assistance may be provided. The amendment requires DBHDS to report to the Secretary of Finance and the Chairmen of the money committees on how the expected GF savings compare to actual Medicaid payments for FY 2019 so that the expected GF savings in FY 2020 may be adjusted by the 2020 GA.</p>	<p>TBD. It is not clear how DBHDS will allocate funding.</p>
310 #9c	<p>Conference: Same as Senate, except moves the date by which assistance would be provided to May 15, 2019.</p>	<p>TBD. It is not clear how DBHDS will allocate funding, which appears to come from a one-time source rather than ongoing funds.</p>
307	<p>Governor Northam's Budget: Provides approximately \$400,000 GF and \$1.3 million NGF in FY 2020 to address the increased cost of processing Medicaid and CHIP applications through the Cover Virginia central processing unit. Additional funding will cover higher contract costs associated with an increased number of applications being processed at the Cover Virginia central processing unit, and the expanded scope of the contract to provide administrative services.</p> <p>House: No change.</p>	<p>Likely no impact.</p>
307 #4s	<p>Senate: Eliminates funding. The Commonwealth now allows the federal marketplace to make Medicaid eligibility determinations, which will reduce the call center's workload.</p>	
307 #5c	<p>Conference: Same as Senate.</p>	

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Budget Bill Item #	Issue	Fairfax County Impact
Medicaid Waivers		
310	<p>Governor Northam's Budget: Provides approximately \$81,000 GF and \$244,000 NGF in FY 2020 for first-time assessments of individuals who will receive services through the 1,067 new developmental disability (DD) Medicaid waiver slots scheduled to become available in FY 2020. The cost of the assessments for the slots added in the first year was covered using year-end balances.</p> <p>House/Senate/Conference: No change.</p>	TBD. Because it is not clear how the waivers will be distributed throughout the state, it is not clear how the funding for the assessments associated with the waivers will be distributed throughout the state.
310	<p>Governor Northam's Budget: Increases the federal funding appropriation by approximately \$907,000 NGF in each year for the Waiver Management System (WaMS) project, which is an automated system that consolidates waiver processing functions.</p> <p>House/Senate/Conference: No change.</p>	<p>TBD. Fairfax County CSB staff use this tool.</p> <p>Fairfax County CSB staff spend a significant amount of time using this tool which is being used statewide to capture data and information that exceeds its original purpose. State investment in a new, more efficient system may be beneficial.</p>
303	<p>Governor Northam's Budget: Reduces the time to implement the required use of an Electronic Visit Verification (EVV) system by consumer-directed aides providing personal care, respite care, and companion services in the Medicaid Commonwealth Coordinated Care (CCC) Plus Waiver and DD waiver programs and the Early and Periodic Screening Diagnosis and Treatment (EPSDT) program. The new implementation date will be October 1, 2019, three months ahead of the current federal mandate.</p> <p>House/Senate/Conference: No change.</p>	Hundreds of Fairfax County residents will be impacted by this change. Details on implementation (including training and outreach to providers, support coordinators, and individuals and families) are unclear at this time.
310 #2h, #1s, #2c	<p>House/Senate/Conference: Adds language prohibiting DBHDS and DMAS from implementing an individualized supports budget process for the three Medicaid waivers related to providing DD services without explicit GA authorization.</p>	Positive. The individual supports budget process will result in a significant workload increase to support coordinators, and no additional funding has been provided to address the increased workload.
310 #6s	<p>Senate: Directs DBHDS to prioritize five DD waiver slots in the Fairfax-Falls Church CSB allocation of developmental disability slots for residents of Falls Church who may be placed in the Miller House and are on the Priority One waitlist.</p>	<p>The Miller House is located in the City of Falls Church on City-owned land. When the project was originally proposed, the Fairfax-Falls Church CSB had more control over the waiver assignment process. Since then, the state has changed the waiver selection process, and the current process of waiver selection is delegated to the Waiver Slot Assignment Committee (an independent committee comprised of members nominated by the Fairfax-Falls Church CSB and selected by DBHDS). This Committee is tasked with making independent decisions based on need for waivers, and is not obligated to consider whether individuals are Fairfax County, City of Falls Church, or City of Fairfax residents.</p> <p>Though in keeping with the original agreement, this amendment does circumvent the Waiver Slot Assignment Committee process.</p>
310 #5c	<p>Conference: Directs DBHDS to work with the Fairfax-Falls Church CSB and the provider of Miller House to give priority to residents of Falls Church, who have received a waiver slot, when openings in the group home become available in the future. In addition, DBHDS is directed to work with the Fairfax-Falls Church CSB and the City of Falls Church to explore options for allocating waiver slots to Falls Church residents when future openings are available at Miller House.</p>	The Fairfax-Falls Church CSB will need support from DBHDS to implement this requirement, which will circumvent the Waiver Slot Assignment Committee process as noted above.

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Budget Bill Item #	Issue	Fairfax County Impact
310 #7s	<p>Senate: Directs DBHDS to ensure that children on the DD waiting list whose parents serve in the military or Foreign Service and are deployed outside of Virginia and then return are placed on the waiting list consistent with their placement prior to leaving Virginia.</p> <p>Conference: No language.</p>	Likely no impact. Currently, the waitlist is based on acuity and not when someone was placed on the waitlist.
303 #4s	<p>Senate: Provides \$375,000 GF and \$375,000 NGF for 10 Medicaid DD slots that will be held in reserve for individuals with developmental disabilities whose circumstances may result in a change in services and between waivers.</p> <p>Conference: No language/funding.</p>	TBD.
Medicaid		
302	<p>Governor Northam's Budget: Increases funding for the Family Access to Medical Insurance Security (FAMIS) program (Virginia's Children's Health Insurance Program (CHIP)) by approximately \$4.25 million GF and \$40.3 million NGF in FY 2019 and \$8.5 million GF and \$42 million NGF in FY 2020 to reflect the latest forecast of expenditures. The costs are primarily a result of higher than expected managed care rates and, to a lesser extent, increased enrollment.</p> <p>House/Senate/Conference: No change.</p>	These are required increases due to higher costs and utilization.
307	<p>Governor Northam's Budget: Replaces \$1.7 million NGF with \$1.7 million GF in FY 2020 as a result of a reduction in the federal match rate for administering CHIP. On October 1, 2019, the federal match rate for CHIP is scheduled to be reduced by 11.5 percentage points. This reduction will increase the GF share necessary to administer the program from 12 percent to 23.5 percent.</p> <p>House/Senate/Conference: No change.</p>	Likely no impact.
303	<p>Governor Northam's Budget: Increases funding for Medicaid utilization and inflation (as estimated in the most recent expenditure forecast) by \$202 million GF and \$270 million NGF in FY 2019 and \$260 million GF and \$1.75 billion NGF in FY 2020.</p>	These are required increases due to higher costs and utilization. The Commonwealth substantially underestimated the expenditures in the traditional Medicaid program (unrelated to Medicaid expansion) for FY 2019 and FY 2020.
303 #1h, #6s, #7c	<p>House/Senate/Conference: Eliminates \$38.9 million GF and \$38.9 million NGF in FY 2020 that was included in the Governor's budget to pay the health insurance fee on managed care contracts, pursuant to the federal Patient Protection and Affordable Care Act. A federal law passed in January 2018 suspended the fee for calendar year 2019, resulting in a savings.</p>	Likely no impact.
	<p>Governor Northam's Budget: Increases oversight of Medicaid spending, requiring DMAS to convene a quarterly meeting with executive and legislative branch leadership to explain differences between forecasted and actual Medicaid spending.</p>	
307 #11s, #14s, #15s	<p>Senate: Provides authority for the Department of Planning and Budget to transfer funding and positions to implement SB 1352, which creates a new Office of Medicaid Fiscal Oversight and Accountability, which will develop the official Medicaid forecast, develop managed care rates, and provide fiscal monitoring of the Medicaid program. Also directs DMAS to report to the Joint Subcommittee for Health and Human Resources Oversight on managed care rates, and creates a Medicaid Forecasting Workgroup to provide greater oversight and transparency of the development of the Medicaid expenditure forecast.</p>	Likely no impact.
307 #3c	<p>Conference: Modifies the executive and legislative branch participants in the quarterly oversight meetings, and requires DMAS to include information on changes to managed care programs that may have an impact on the programs.</p>	Likely no impact.

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Budget Bill Item #	Issue	Fairfax County Impact
303	Governor Northam's Budget: Provides \$3.5 million GF and \$3.6 million NGF in FY 2020 for coverage of preventive services and vaccines for currently eligible adult populations in fee-for-service, Medallion 4.0, and Commonwealth Coordinated Care (CCC) Plus to ensure equity with the Medicaid expansion population.	Likely positive for the individuals needing these services. It is not clear how the funds will be allocated or administered.
303 #7h	House: Eliminates \$3.5 million GF in FY 2020.	
303 #3s	Senate: Eliminates \$3.5 million GF and \$3.6 million NGF in FY 2020.	
303 #8c	Conference: Same as Senate.	
307	Governor Northam's Budget: Provides \$500,000 GF and \$500,000 NGF in each year for training for consumer-directed attendants who provide personal assistance, respite, and companion services.	The inclusion of consumer direction in the new managed care structure is a positive development, but it is not clear how this funding will be distributed throughout the state. The County's Human Services Issue Paper includes support for preserving consumer direction.
303 #3h	House: Eliminates funding in both years of the biennium.	
307 #2s	Senate: Removes \$500,000 GF and \$500,000 NGF in FY 2019.	
307 #11c	Conference: Same as House.	
Children's Services Act (CSA)		
282	Governor Northam's Budget: Reduces the appropriation for CSA by \$5.9 million GF in each year to reflect a reduction in anticipated caseload and utilization.	If the anticipated reductions occur, this likely will have no impact on Fairfax County. If the anticipated reductions do not occur, the Commonwealth will need to restore funding, because CSA is a sum sufficient program.
	House/Senate/Conference: No change.	
282	Governor Northam's Budget: Removes a \$50,000 cap on the amount of state funding that can be used by localities for administrative costs.	This amendment aligns the budget language with current practice.
	House/Senate/Conference: No change.	
282 #1s, #2s	Senate: Delays the final report on a study of private day special education rates (included in the biennium budget passed by the 2018 GA) from July 2019 to October 2019. Also directs the Department of Education (DOE) and the Office of Children's Services to establish an implementation workgroup for developing and refining collection and reporting measures, as recommended in the Private Day Special Education Outcomes report from November 2018.	Likely no impact.
282 #2c	Conference: Delays the final report on a study of private day special education rates (included in the biennium budget passed by the 2018 GA) from July 2019 to October 2019, and adds language requiring the final report to include a list of special education private day programs that did not provide information for the study.	Likely no impact.
129 #1c	Conference: Directs DOE to collect data that measures the progress and outcomes of students placed in special education private day schools, and report to legislative committees by the first day of the 2020 GA. Also requires DOE and the Office of Children's Services to collaborate with an advisory group to refine the outcome measures and collection of additional data, as needed.	Likely no immediate fiscal impact on the County, although the report could provide information that would help evaluate special education day placements, and may result in recommendations that impact the County.

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Budget Bill Item #	Issue	Fairfax County Impact
<u>Early Childhood Services</u>		
128 #2c	<p>Conference: Provides \$9.9 million NGF in FY 2020 for an awarded grant through the U.S. Department of Health and Human Services' Administration for Children and Families. Funds will be used by the Virginia Department of Education and its partners to support statewide initiatives that bolster Virginia's early childhood system, such as producing a statewide needs assessment and strategic plan, aligning early learning standards, and developing kindergarten-readiness tools for teachers and families.</p>	<p>Likely positive. The County's Human Services Issue Paper includes support for increased state resources and operational flexibility for early childhood education programs.</p> <p>Fairfax County is one of the communities eligible to participate in the grant and has submitted a letter of intent to participate. The Fairfax County Board of Supervisors will consider a Board item during the March 5, 2019, meeting to authorize the Department of Family Services to accept funding from the Virginia Early Childhood Foundation, Preschool Development Grant Birth-Five Pilot Initiative in the amount of \$393,375.</p>
<u>Child Welfare</u>		
348	<p>Governor Northam's Budget: Provides approximately \$1.2 million GF and \$90,000 NGF in each year for 2,500 mobile device management software licenses for DSS for devices that communicate with its child welfare information system, and for local departments of social services for devices used by clients to determine their eligibility for services.</p> <p>House/Senate/Conference: No change.</p>	TBD.
344	<p>Governor Northam's Budget: Provides approximately \$336,000 GF and \$258,000 NGF in FY 2019 and \$1.3 million GF and \$1 million NGF in FY 2020 to fund a three percent cost of living adjustment for foster care and adoption payments. Appropriation Act language requires an automatic adjustment for inflation to be applied to the maximum room and board rates paid to foster parents in the fiscal year following a state employee pay raise. Because state employees received a three percent raise in July 2017, this addendum provides a similar percentage increase to foster care rates. This increase is also assumed for adoption subsidy funding, to ensure that adoption subsidies keep pace with foster family rates and to avoid any disincentives for adoption.</p> <p>House/Senate/Conference: No change.</p>	Likely positive for foster and adoptive parents.
339 #1s, 344 #1s, #2s	<p>Senate: Provides \$1.8 million GF and \$1.3 million NGF and 18 positions to fund JLARC recommendations for improving the foster care system pursuant to SB 1339. This funding: establishes a Director of Foster Care Health and Safety; adds 10 additional regional foster care staff in DSS; funds a regional project manager; funds five staff for temporary assistance or control of local foster care programs; provides funds for a compliance dashboard (data analyst for support) and complaint hotline; funds a minimum caseload standard of 15 cases per worker; and, adds five positions for monitoring foster care services. Also directs DSS to develop a foster care recruitment and retention strategic plan, immediately review all cases of children in congregate care without a clinical need to be there, and assist local departments in finding appropriate family-based settings.</p>	Likely no impact. The companion bill, SB 1339, includes language regarding circumstances in which the Commissioner can take over the provision of services in a locality, requiring a locality to reimburse DSS -- more specificity from the state regarding how this would work would be helpful.
339 #1c, 344 #4c	<p>Conference: Provides \$1.6 million GF and \$1.2 million NGF and 18 positions to fund JLARC recommendations for improving the foster care system pursuant to SB 1339. This funding: establishes a Director of Foster Care Health and Safety; adds 10 additional regional foster care staff in DSS; funds a regional project manager; provides funds for a compliance dashboard (data analyst for support) and complaint hotline; funds a minimum caseload standard of 15 cases per worker; and, adds five positions for monitoring foster care services. Also directs DSS to immediately review all cases of children in congregate care without a clinical need to be there, and assist local departments in finding appropriate family-based settings.</p>	<p>Likely no impact. The companion bill, SB 1339, includes language regarding circumstances in which the Commissioner can take over the provision of services in a locality, requiring a locality to reimburse DSS -- more specificity from the state regarding how this would work would be helpful.</p> <p>Looking to the future, if Virginia seeks to implement the national caseload standard of 12 cases per worker, additional funding would be needed.</p>

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Budget Bill Item #	Issue	Fairfax County Impact
344 #2c	Conference: Provides approximately \$176,000 GF and \$242,000 NGF in FY 2020 for local departments of social services to request the placement of a security freeze on the credit report or record of any child who has been in foster care for at least six months, pursuant to HB 1730/SB 1253.	TBD.
<u>Substance Use Disorder</u>		
311	Governor Northam's Budget: Provides \$1.6 million GF in each year for the purchase and distribution of additional REVIVE! kits and naloxone spray used for the reversal of opioid overdose. House: No change.	Likely positive, though it is unclear how this funding will be distributed throughout the state. The County's Legislative Program includes support for additional funding to address the opioid crisis.
311 #1s	Senate: Eliminates funding.	
311 #1c	Conference: Removes the funding included in the introduced budget for FY 2019. Funding of \$1.6 million in FY 2020 remains for the purchase and distribution of additional REVIVE! kits and naloxone spray used for the reversal of opioid overdoses.	Likely positive, though it is unclear how this funding will be distributed throughout the state. The County's Legislative Program includes support for additional funding to address the opioid crisis.
407	Governor Northam's Budget: Includes \$3.3 million GF in FY 2020 to fund positions and outsourcing costs to address backlogs in the Department of Forensic Science's controlled substances section. House/Senate/Conference: No change.	Likely positive. The County's Legislative Program includes support for additional funding to address the opioid crisis.
287	Governor Northam's Budget: Includes approximately \$256,000 GF and three positions in FY 2020 for the Office of the Chief Medical Examiner to establish the State Overdose Fatality Review Team, which will work with local and regional overdose fatality review teams to prevent overdoses resulting from the misuse, overuse, and abuse of prescribed, commercially available, or illicit substances. House: No change.	Likely positive. The County's Legislative Program includes support for additional funding to address the opioid crisis. Local participation in the State Overdose Fatality Review Team may require some local resources.
287 #1s	Senate: Removes the funding and positions for the State Overdose Fatality Review Team.	
287 #1c	Conference: Same as Senate.	
299 #1s	Senate: Directs the Board of Pharmacy to work with relevant stakeholders to determine ways to enhance public awareness of proper drug disposal methods, including existing community-based collection and disposal opportunities.	
299 #1c	Conference: Directs the Board of Pharmacy to report to the Joint Commission on Health Care by October 1, 2019, on state and local efforts to promote proper drug disposal methods, including existing community-based collection and disposal efforts.	

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Budget Bill Item #	Issue	Fairfax County Impact
<u>Mental and Behavioral Health</u>		
316	<p>Governor Northam's Budget: Provides \$7.9 million GF in FY 2020 for 254 clinical positions at state mental health facilities to address staff shortages and reduce the use of overtime systemwide.</p> <p>House: No change.</p>	Likely positive, as the Northern Virginia Mental Health Institute (NVMHI) has been struggling with staff shortages, but it is unclear how these positions will be distributed throughout the state.
316 #1s	Senate: Reduces funding by \$1.5 million GF in FY 2020.	
316 #1c	Conference: Same as Senate.	
312	<p>Governor Northam's Budget: Provides \$5.2 million GF in FY 2020 for the transition to community settings of approximately 100 individuals currently in state behavioral health facilities who have been determined ready for discharge, but who are not able to be moved due to extraordinary barriers.</p> <p>House/Senate/Conference: No change.</p>	TBD. It is not clear how this funding will be distributed throughout the state.
316	<p>Governor Northam's Budget: Provides \$850,000 GF in FY 2020 to fund six beds in alternative settings for children transitioning from the Commonwealth Center for Children and Adolescents (CCCA) who do not need institutionalization but cannot be served in existing programs because they are high-risk with significant issues.</p> <p>House/Senate/Conference: No change.</p>	TBD. It is not clear where these beds will be located.
310 #5s	Senate: Directs DBHDS to prepare a plan to "right size" the state hospital system, including appropriate capacity and distribution of capacity, and the steps to transition from the current system to the right-sized system. This is a recommendation of the Joint Subcommittee Studying Mental Health Services in the Commonwealth in the 21st Century.	TBD. In concept, this is a positive development, but details on the plan are not yet available and it is not clear how Fairfax County would be impacted.
310 #4c	Conference: Directs DBHDS to establish a workgroup to examine the impact of temporary detention order (TDO) admissions on state behavioral health hospitals and develop options and an action plan to relieve pressure on the system. The action plan must also take into account the need to take short-term actions to relieve the pressure on state behavioral health hospitals, in order to develop a plan for right sizing the system. Also directs DBHDS to develop a proposal for Central State Hospital that fits within a "right sized" system. A plan is due to the Governor and money committees by November 1, 2019.	
303 316	<p>Governor Northam's Budget: Provides approximately \$19 million GF in FY 2019 to cover anticipated, immediate reductions in federal payments to Piedmont Geriatric and Catawba hospitals. Also provides \$27 million GF in FY 2020 to replace a reduction of the same amount in federal funding for the continued operations of both hospitals. State funding is necessary as the facilities are no longer able to receive Medicaid reimbursement as a result of decertification. This cost is offset by a reduction of \$14.5 million at the DMAS previously appropriated to serve as the GF match for Medicaid-eligible services at these two facilities.</p> <p>House: No change.</p>	While these facilities are not located in Fairfax County, the federal decertification and loss of funding for these facilities will impact funding available for the mental health system overall, likely leading to a decrease in inpatient beds (further exacerbating the state psychiatric bed crisis). Other DBHDS programs may also be impacted.
307 #10s	Senate: Adds language requiring DMAS to notify the Department of Planning and Budget and the chairmen of the money committees of any federal deferral of grant funds or disallowances.	
307 #8c	Conference: Same as Senate.	

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Budget Bill Item #	Issue	Fairfax County Impact
312	Governor Northam's Budget: Provides \$9 million GF in FY 2020 to expand crisis services for children and adults, including mobile crisis for children with co-occurring disorders.	Likely positive, although it is unclear how these positions will be distributed throughout the state. The County's Legislative Program includes support for crisis services.
312 #2h, 3h	House: Removes the funding provided in the Governor's budget and replaces it with \$8.8 million GF in FY 2020 to accelerate the provision of crisis services by CSBs and behavioral health authorities. System Transformation, Excellence and Performance in Virginia (STEP-VA), passed by the 2017 GA, requires that crisis services be implemented by FY 2021.	Likely positive, as this provides additional funding for STEP-VA implementation, but this funding level is lower than County staff's estimate of the cost to implement crisis services statewide. The County's Human Services Issue Paper includes support for additional STEP-VA funding.
312 #1s	Senate: Reduces by \$1 million GF in FY 2020 the funding provided in the introduced budget for the behavioral health and DD crisis system, and redirects \$5 million GF to fund additional outpatient services as part of the STEP-VA initiative, bringing the total amount of FY 2020 funding for outpatient services to \$20 million. Funding of \$3 million GF remains for improving children's crisis services.	Likely positive, as this provides funding for an element of STEP-VA. The County's Human Services Issue Paper includes support for additional STEP-VA funding.
312 #1c, 2c	Conference: Removes the \$9 million GF in FY 2020 to expand crisis services that was included in the Governor's budget, and instead provides \$7.8 million GF to accelerate crisis services pursuant to the STEP-VA initiative, which requires that crisis services be implemented by FY 2021.	<p>Though this is a reduction in funding compared to the Governor's introduced budget, it requires funding to be provided for an element of STEP-VA, rather than other crisis services. The County's Human Services Issue Paper includes support for additional STEP-VA funding.</p> <p>This funding level is lower than County staff's estimate of the cost to implement crisis services statewide, and it is not clear how funds would be distributed throughout the state.</p>
312	Governor Northam's Budget: Appropriates \$2.5 million GF in FY 2020 from the Behavioral Health and Developmental Services Trust Fund (available due to the sale of state facilities) to support employment assistance training efforts, start-up costs for a new children's Crisis Therapeutic Home (CTH), and the construction of a new REACH Crisis Home.	TBD. It is not clear how these funds will be distributed throughout the state.
	House: No change.	
312 #5s	Senate: Out of the \$2.5 million GF in FY 2020 included in the Governor's budget, designates \$750,000 to be expended for developmental disability services in the Northern Virginia region (Region 2) to address critical needs in the region for individuals with developmental disabilities. The department will report on the allocation of these funds to the Chairmen of the House Appropriations and Senate Finance Committees by September 15, 2019.	TBD. It is not clear how funds will be distributed within the Northern Virginia region, which DBHDS considers to extend to localities well beyond the traditional Northern Virginia region.
312 #4c	Conference: Out of the \$2.5 million GF in FY 2020 included in the Governor's budget, \$750,000 is designated for one-time expenditures in DD services, with priority given to projects that serve individuals with DD in the Northern Virginia region (Region 2) who have been discharged from state training centers or who are at risk of institutional placement. DBHDS will report on the allocation of these funds to the chairmen of the House Appropriations and Senate Finance Committees by September 15, 2019.	<p>Likely positive if funds remain in the traditional NOVA region.</p> <p>The required report will be helpful in illustrating how and where funds are allocated.</p>

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Budget Bill Item #	Issue	Fairfax County Impact
312	<p>Governor Northam's Budget: Provides \$2 million GF in FY 2020 to create an additional 150 permanent supportive housing units for individuals with serious mental illness.</p> <p>House: No change.</p>	<p>TBD. It is not clear how these units will be distributed throughout the state or if the funding takes into account the Fair Market Rent values (typically higher in Fairfax than other parts of the state). It also is not clear if this item provides funding for necessary support services for newly housed individuals.</p> <p>Likely positive, as the increased funding may improve the likelihood that individuals served by the Fairfax-Falls Church CSB benefit from this funding.</p>
312 #2s	<p>Senate: Provides an additional \$3 million GF in FY 2020 to increase funding for permanent supportive housing.</p>	
312 #5c	<p>Conference: Provides an additional \$3 million in FY 2020 for permanent supportive housing. Also requires DBHDS to report on permanent supportive housing services by November 30, 2019.</p>	
311	<p>Governor Northam's Budget: Provides \$1.2 million GF in FY 2020 to contract with the Virginia Mental Health Access Program to develop integrated mental health services for children.</p> <p>House/Senate/Conference: No change.</p>	<p>Positive. This appropriation would likely enable the project to be implemented in Northern Virginia in FY 2020, as Inova and Children's National Hospitals are participating and offering in-kind assistance.</p>
310 #3h, 312 #1h	<p>House: Provides \$200,000 to the Fairfax-Falls Church CSB in funding for the Program of Assertive Community Treatment (PACT) Team. Also adds language directing DBHDS to report on the funding and cost effectiveness of the PACT program.</p>	<p>Positive. The Fairfax-Falls Church CSB currently has one PACT Team and has received \$700,000 annually in state funding for that PACT team since the 1990s. The actual cost of one PACT team is \$1.5 million and, of that, \$200,000 comes from Medicaid.</p>
310 #3c, 312 #3c	<p>Conference: Same as House, and requires that the report on the PACT program be provided to the money committees by November 1, 2019.</p>	<p>Positive. The Fairfax-Falls Church CSB currently has one PACT Team and has received \$700,000 annually in state funding for that PACT team since the 1990s. The actual cost of one PACT team is \$1.5 million and, of that, \$200,000 comes from Medicaid.</p>

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Budget Bill Item #	Issue	Fairfax County Impact
303 #4h, 310 #1h	House: Adds language authorizing the realignment of behavioral health services to ensure the system supports evidence-based, trauma-informed, prevention-focused and cost-effective services for individuals served across the lifespan. Language requires a plan on the changes in provider rates, new services and other programmatic or cost changes to be provided to the chairmen of the money committees by December 1, 2019. Upon approval by the 2020 GA and the federal Centers for Medicare and Medicaid, DBHDS will have the authority to implement such changes. This is a recommendation of the Joint Subcommittee Studying Mental Health Services in the Commonwealth in the 21st Century.	TBD.
303 #12s	Senate: Adds language directing the development of a plan for the realignment of Medicaid behavioral health services to ensure the system supports evidence-based, trauma-informed, prevention-focused and cost-effective services for individuals served across the lifespan. The Senate budget does not authorize DBHDS to implement the plan.	TBD.
303 #3c, 310 #1c	Conference: Adds language directing the development of a plan for the realignment of Medicaid behavioral health services to ensure the system supports evidence-based, trauma-informed, prevention-focused and cost-effective services for individuals served across the lifespan. Agency authority to implement the changes is contingent on approval by the 2020 GA and the federal Centers for Medicare and Medicaid Services.	TBD.
310 #3s	Senate: Adds language re-creating a public and private collaborative process in Northern Virginia to better and more comprehensively address needs within the region and share responsibility for meeting those needs.	TBD.
310 #10c	Conference: Adds language recreating a public and private collaborative process in Northern Virginia (a mental health coordination workgroup) to better and more comprehensively address needs within the region and share responsibility for meeting those needs. DBHDS is required to facilitate the initiation of the workgroup; once it is fully operational, DBHDS is required to allow it to operate independently, though DBHDS may continue to provide assistance as needed. A report on the composition, participation, and workgroup actions is due to the money committees by November 30, 2019.	TBD.
<u>Part C/Early Intervention</u>		
312	Governor Northam's Budget: Provides \$459,000 GF in FY 2019 and \$661,000 GF in FY 2020 to address continued growth in the number of children served in the state's Part C/Early Intervention programs. House/Senate/Conference: No change.	These are required increases due to higher costs and utilization (Part C is a mandated service). The additional funding will increase program capacity.
<u>Disability Services</u>		
355	Governor Northam's Budget: Provides approximately \$626,000 GF in FY 2020 for 50 blind and visually impaired individuals, currently on a waitlist, to receive vocational rehabilitation services.	Likely positive, though it is unclear how this funding will be distributed throughout the state.
355 #1h, #1s, #1c	House/Senate/Conference: Eliminates funding.	

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Budget Bill Item #	Issue	Fairfax County Impact
Safety Net Programs		
340	Governor Northam's Budget: Provides approximately \$1.9 million NGF in FY 2020 to fund the anticipated cost of providing mandated Temporary Assistance for Needy Families (TANF) benefits.	This appropriation reflects caseload growth statewide. The TANF caseload in Fairfax County has remained relatively steady.
340, 339 #1h	House: Adjusts the TANF balance to reflect expenditures in the Governor's budget and legislation passed by the 2019 House of Delegates, and adds language directing the provision of additional information for completing the expenditure forecasts for cash assistance provided through TANF, mandatory child day care services under TANF, foster care maintenance payments, and adoption subsidy payments. Also requires the Department of Planning and Budget to convene a meeting with staff of DSS and the House Appropriations and Senate Finance Committees to review trends and assumptions used in the forecasts prior to their finalization.	No impact.
340 #3s	Senate: Adds language directing DSS to conduct a comprehensive review of TANF in meeting the needs of lower-income families, and report on a plan to the Joint Subcommittee for Health and Human Resources Oversight by October 1, 2019.	No impact.
340 #1s	Senate: Provides \$300,000 GF and \$3.2 million NGF in FY 2020 to increase TANF benefits by five percent. The last increase in benefits was a 2.5 percent increase in July 2017. The average monthly payment for a TANF family is \$314.	Positive. Fairfax County's Human Services Issue Paper includes support for increasing TANF rates.
339 #2c, 340 #3c, 4c	Conference: Same as the House (340, 339 #1h) and Senate items (340 #1s and #3s) above.	
340	Governor Northam's Budget: Extends TANF eligibility to children up to age 19 who are enrolled full time in secondary school or an equivalent level of career or technical education. House/Senate/Conference: No change.	Likely no impact to the County.
291	Governor Northam's Budget: Includes \$3 million NGF from the federal TANF block grant in FY 2020 for the Federation of Virginia Food Banks to strengthen outreach to food-insecure children throughout the Commonwealth.	TBD. It is not clear how this funding will be distributed throughout the state.
291 #1h, 346 #3h	House: Transfers the funding included in the Governor's budget from the Department of Health to the Department of Social Services. Senate: No change. Conference: Same as House.	Likely no impact.
346 #1s	Senate: Provides \$500,000 GF each year of the biennium for Northern Virginia Family Services (NVFS) to expand early childhood education and adult workforce development programs.	Likely positive.
346 #4c	Conference: Provides \$500,000 NGF in FY 2020 from federal TANF funds for NVFS to expand services for families in crisis, including adult workforce development programs.	Likely positive.
346 #2s	Senate: Provides \$2.3 million in FY 2020 from federal TANF funds for competitive grants to Community Action Agencies for a Two-Generation/Whole Family Pilot Project and for evaluation of the pilot project, which will evaluate two-generation or whole family strategies to alleviate multi-generational poverty.	This is a competitive grant program, for which Fairfax County could apply.
346 #5c	Conference: Provides \$1.1 million in FY 2020 from federal TANF funds for competitive grants to Community Action Agencies for a Two-Generation/Whole Family Pilot Project and for evaluation of the pilot project, which will evaluate two-generation or whole family strategies to alleviate multi-generational poverty.	This is a competitive grant program, for which Fairfax County could apply.

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Budget Item #	Issue	Fairfax County Impact
	Public Education	Fairfax County Public Schools (FCPS) Impact (School Operating Fund)
	Direct Aid to Public Education	
	Sales Tax Revenues	
	<p>Governor Northam's Budget: Increases the sales tax revenue estimate for public education by \$13.5 million in FY 2020 to reflect additional estimated revenues from internet sales. In addition, increases the sales tax estimate by \$4.8 million in FY 2019 and \$6.1 million in FY 2020 as a result of the November 2018 education sales tax forecast.</p> <p>House/Senate: No change from the Governor's introduced budget.</p> <p>Conference: No change from the Governor's introduced budget.</p>	<p>Results in additional funding of \$4.7 million in FY 2020 as compared to the FY 2020 budget forecast presented on November 27, 2018, and an additional \$1.6 million in FY 2019 as compared to the FY 2019 Approved Budget.</p> <p>No change from the Governor's introduced budget.</p> <p>No change from the Governor's introduced budget.</p>
	Salary Increase in FY 2020	
136 #1s	<p>Governor Northam's Budget: Provides \$87.6 million in FY 2020 for the state's share of an additional 2 percent salary increase for instructional and support positions, effective July 1, 2019. This increase is in addition to the 3 percent increase provided as part of the adopted biennium budget.</p> <p>House: Provides \$43.8 million in FY 2020 for the state's share of an additional 2 percent salary increase, effective January 1, 2020, with some local flexibility.</p> <p>Senate: No change in the amount provided in the Governor's budget; adds language to provide additional flexibility to the state support for up to 5 percent teacher salary increase.</p> <p>Conference: Provides \$72.8 million in FY 2020 for the state's share of an additional 2 percent salary increase, effective September 1, 2019.</p>	<p>Results in additional funding of \$7.9 million in FY 2020 as compared to the FY 2020 budget forecast presented on November 27, 2018. This is in addition to the \$12.2 million for the 3 percent salary increase which was included in the FY 2020 budget forecast presented on November 27, 2018.</p> <p>The net cost to FCPS for the additional 2 percent salary increase is approximately \$38.1 million.</p> <p>Results in a decrease of \$4.0 million in FY 2020 compared to the Governor's introduced budget.</p> <p>No change from the Governor's introduced budget.</p> <p>Results in a decrease of \$1.4 million in FY 2020 compared to the Governor's introduced budget.</p> <p>If FCPS implements a 2 percent salary increase in September 1, 2019 rather than in July 1, 2019, it would save \$4 million for a net cost of \$34.1 million. FCPS's Advertised Budget includes funding for teacher salary increases effective July 1, 2019, and the net cost of the 2 percent is approximately \$38.1 million.</p>
	School Safety	
	<p>Governor Northam's Budget: Includes approximately \$36 million in FY 2020 to cover the state cost of modifying staffing ratios for school counselors.</p> <p>House: No change from the Governor's introduced budget.</p>	<p>This funding is included as part of overall Basic Aid funding. Standards of Quality (SOQ) accounts, including Basic Aid, result in a net decrease of \$6.3 million as compared to the FY 2020 budget forecast presented on November 27, 2018.</p> <p>The state currently includes a flexibility provision allowing school divisions to allocate according to need regardless of individual school level ratio. There is no reference to eliminating this flexibility. As a result, FCPS meets the new ratio requirement systemwide without adding counselors. The ratio is expected to be lowered over a three year period, and FCPS will likely have to add counselors in FY 2021.</p> <p>No change from the Governor's introduced budget.</p>

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136 #2s	<p>Senate: Decreases the amount provided in FY 2020 compared to the Governor's budget for covering the state cost of modifying staffing ratios for school counselors by \$23.9 million, leaving only \$12 million.</p> <p>Conference: Decreases the amount provided in FY 2020 compared to the Governor's budget for covering the state cost of modifying staffing ratios for school counselors by \$23.8 million, leaving only \$12 million.</p>	<p>Results in a decrease of \$2 million in FY 2020 compared to the Governor's introduced budget.</p> <p>Results in a decrease of \$2 million in FY 2020 compared to the Governor's introduced budget.</p>
<u>Update Lottery Proceeds</u>		
136 #11h	<p>Governor Northam's Budget: Increases by \$39.9 million in FY 2019 and \$30 million in FY 2020 the Virginia Lottery proceeds. Of the increase, \$34.7 million over the biennium will boost the state's per pupil allocation.</p> <p>House: Increases by \$27.4 million in FY 2020 the amount for the Supplemental Lottery Per Pupil Allocation compared to the Governor's introduced budget.</p> <p>Senate: Restores the amounts for the Supplemental Lottery Per Pupil Allocation to the levels included in the state's 2018-2020 biennium budget, decreasing the amount by \$34.7 million over the biennium compared to the Governor's budget.</p> <p>Conference: No change from the Governor's introduced budget.</p>	<p>FCPS will receive an additional \$1.2 million for the supplemental lottery per pupil allocation as compared to the FY 2020 budget forecast presented on November 27, 2018.</p> <p>Results in an increase of \$2.3 million in FY 2020 compared to the Governor's introduced budget.</p> <p>Results in a decrease of \$1.6 million in FY 2019 and a decrease of \$1.4 million in FY 2020 compared to the Governor's introduced budget.</p> <p>No change from the Governor's introduced budget.</p>
<u>At-Risk Add-On Program</u>		
	<p>Governor Northam's Budget: Increases by \$35.4 million over the biennium to enhance the At-Risk program, which provides funding to support the additional costs of educating at-risk students.</p> <p>House: Removes the funding increase proposed by the Governor for the supplemental At-Risk Add-On program.</p> <p>Senate: Decreases the amount provided for the At-Risk Add-On program compared to the Governor's budget by \$10.7 million in FY 2019 and \$3.6 million in FY 2020.</p> <p>Conference: Decreases the amount provided for the At-Risk Add-On program compared to the Governor's budget by \$10.7 million in FY 2019.</p>	<p>FCPS will receive a net increase of \$0.3 million (an increase of \$2.3 million in Lottery Programs offset by a \$2.0 million decrease in Incentive Programs) as compared to the FY 2020 budget forecast presented on November 27, 2018.</p> <p>Eliminates proposed increase in the Governor's introduced budget resulting in a decrease of \$0.5 million in FY 2019 and a decrease of \$0.3 million in FY 2020.</p> <p>Results in a decrease of \$0.2 million in FY 2019 and a decrease of \$0.1 million in FY 2020 compared to the Governor's introduced budget.</p> <p>Results in a decrease of \$0.2 million in FY 2019, and has a minimal impact in FY 2020.</p>
<u>State Special Education Regional Tuition</u>		
	<p>Governor Northam's Budget: Makes technical changes that reduce statewide funding for this program by \$6.1 million in FY 2019 and \$0.7 million in FY 2020.</p> <p>House/Senate: No change from the Governor's introduced budget.</p> <p>Conference: No change from the Governor's introduced budget.</p>	<p>Due to recent administrative changes, for the first time beginning in FY 2019, FCPS is eligible to receive funds for the Special Education Regional Tuition program for students requiring intensive support needs. As a result, FCPS will receive an additional \$4.3 million in FY 2020 as compared to the FY 2020 budget forecast presented on November 27, 2018 and \$2.2 million more in FY 2019 as compared to the FY 2019 Approved Budget.</p> <p>No change from the Governor's introduced budget.</p> <p>No change from the Governor's introduced budget.</p>

**BUDGET PROPOSALS FOR FY 2018 - FY 2020
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Budget Item #	Issue	Fairfax County Impact
	<u>State VPI+ Program</u>	
	<p>Governor Northam's Budget: Provides \$9.7 million in FY 2020 in support for the Virginia Preschool Initiative Plus (VPI+) program currently supported by federal Preschool Development Grant funds, which expire after FY 2019.</p>	<p>Results in an additional \$0.6 million for FCPS in FY 2020 as compared to the FY 2020 budget forecast presented on November 27, 2018.</p> <p>The County may receive some of this funding for community classrooms, depending on how the new funds are administered.</p>
	<p>House: Removes funding proposed by the Governor for back-filling the federal program, which expires after FY 2019.</p>	<p>Eliminates the support for the expired federal VPI+ program, resulting in a decrease of \$0.6 million in FY 2020.</p>
136 #3s	<p>Senate: Decreases the amount provided in FY 2020 by \$2.4 million in support for the VPI+ program currently supported by federal Preschool Development Grant funds, which expire after FY 2019. The decrease is based on a required local match of 25 percent for FY 2020.</p>	<p>Results in a decrease of \$0.1 million in FY 2020 compared to the Governor's introduced budget.</p>
	<p>Conference: Decreases the amount provided in FY 2020 by \$3.5 million in support for the VPI+ program that is currently supported by federal Preschool Development Grant funds, which expire after FY 2019. The decrease is based on a required local match of 40 percent for FY 2020.</p>	<p>Results in a decrease of \$0.2 million in FY 2020 compared to the Governor's introduced budget.</p>
	<u>Other Items of Interest</u>	
	<u>Other Lottery Accounts</u>	
	<p>Governor Northam's Budget: Makes technical updates based on program participation.</p>	<p>Due to projected increases in lottery proceeds, FCPS will receive increases of \$1.2 million in Early Reading Intervention and career and technical education offset by various decreases of \$0.2 million including K-3 Class Size and Academic Year Governor's School (funded in incentive program), resulting in a net increase of \$1 million as compared to the FY 2020 budget forecast presented on November 27, 2018.</p>
	<p>House: Makes technical adjustments in FY 2019 to the Individual Student Alternative Education Plan (ISAEP) and makes technical adjustments in FY 2020 to the K-3 Class Size Reduction initiative.</p>	<p>Minimum impact on FCPS.</p>
	<p>Senate: Includes technical updates to ISAEP.</p>	<p>Minimum impact on FCPS.</p>
	<p>Conference: No change from the Governor's introduced budget.</p>	<p>No change from the Governor's introduced budget.</p>
	<u>Retiree Health Care Credit (RHCC) Rates</u>	
	<p>House: Adds \$4.3 million to pay for the cost of lowering the Virginia Retirement System (VRS) amortization period used for the RHCC rate calculation from 25 years to 20 years.</p>	<p>Includes additional funding of \$0.4 million for FCPS in FY 2020 due to the proposed rate increases from 1.2 percent to 1.34 percent. However, it would require an additional \$2.2 million in expenditures for FCPS that are currently not included in FCPS' FY 2020 proposed budget.</p>
	<p>Conference: No change from the Governor's introduced budget.</p>	<p>No change from the Governor's introduced budget.</p>

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Budget Item #	Issue	Fairfax County Impact
	<u>School Construction</u>	
	Governor Northam's Budget: Provides one-time deposit of \$80 million in the Literary Fund, which provides aid to local school divisions for school construction.	No impact to FCPS. The Literary Fund loans are tied to the Local Composite Index (LCI), and high LCI localities typically can get better rates through other financing mechanisms.
	House: No change from the Governor's introduced budget.	No impact to FCPS.
	Senate: Directs a total of \$70 million towards school construction support.	No impact to FCPS.
	Conference: Of the \$80 million proposed by the Governor, redirects \$45 million for teacher retirement and uses \$35 million for school construction loans and subsidy interest grants.	No impact to FCPS.
	<u>Local Composite Index (LCI) Calculation</u>	
136 #7s	Senate: Modifies, beginning in FY 2021, the calculation of the LCI to incorporate the land-use assessment value.	Would result in estimated revenue loss of more than \$7.6 million. Impact would be in FY 2021.
	Conference: Does not include the Senate proposal.	
	<u>Impact to the Fairfax County Public Schools' (FCPS) FY 2020 Operating Fund Budget</u>	
	<p>Governor Northam's Budget: Compared to FCPS' FY 2019 Approved Budget, Governor Northam's budget includes \$27.2 million more in state aid and \$9.2 million more in sales tax revenue for FY 2020.</p> <p>The impact of Governor Northam's Budget is reflected in the FCPS FY 2020 Proposed Budget released on January 10, 2019.</p> <p>House: Compared to FCPS' FY 2019 Approved Budget, the House budget amendments include \$24.9 million more in state aid and \$9.2 million more in sales tax revenue for FY 2020.</p> <p>Compared to FCPS' FY 2020 Proposed Budget, the House budget amendments include \$2.3 million less in state aid and no change in sales tax revenue.</p> <p>Senate: Compared to FCPS' FY 2019 Approved Budget, the Senate budget amendments include \$23.5 million more in state aid and \$9.2 million more in sales tax revenue for FY 2020.</p> <p>Compared to FCPS' FY 2020 Proposed Budget, the Senate budget amendments include \$3.7 million less in state aid and no change in sales tax revenue.</p> <p>Conference: Compared to FCPS' FY 2019 Approved Budget, the Conference budget amendments include \$23.5 million more in state aid and \$9.2 million more in sales tax revenue for FY 2020.</p> <p>Compared to FCPS' FY 2020 Advertised Budget, the Conference budget amendments include \$3.7 million less in state aid and no change in sales tax revenue.</p>	

**BUDGET PROPOSALS FOR FY 2018 - FY 2020
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Budget Item #	Issue	Fairfax County Impact
Transportation		
Regional Items		
Northern Virginia Transportation Authority (NVTA) and Washington Metropolitan Area Transit Authority (WMATA) Funding		
453	<p>Governor Northam's Budget: Includes the regional funds provided for in HB 2313 (2013), including \$553 million for distribution of NVTA Fund Revenues over the biennium. Also includes regional funds provided to WMATA (\$255.6 million) and non-WMATA Northern Virginia jurisdictions (\$19.1 million) per HB 1539/SB 856 (2018). The Commonwealth's revised estimates for NVTA revenues are \$13.6 million above what was projected for the biennium last year.</p> <p>House/Senate/Conference: No change.</p>	<p>The amount received by the County is dependent on actual collections of the revenue sources. Through its Six Year Program, NVTA allocates approximately \$387 million (70 percent funding retained by NVTA). This funding has already been approved for projects through the recent adoption of NVTA's FY 2018-2023 Six Year Program. Over the biennium, Fairfax County should receive approximately \$74.65 million to allocate for local projects approved by the Board of Supervisors (30 percent funding returned to localities), minus the respective shares provided to Vienna and Herndon. Approximately \$28 million of this "30 percent funding" will likely be transferred to the Commonwealth's WMATA Capital Fund for the County's share of local funding for state of good repair, as required by HB 1539/SB 856.</p>
Regional Transportation Entity Appointments		
4-14.	<p>Governor Northam's Budget: Retains language permitting the Speaker to appoint non-legislative members to the NVTA, Northern Virginia Transportation Commission (NVTC), and Potomac and Rappahannock Transportation Commission (PRTC).</p> <p>House/Senate/Conference: No change.</p>	<p>The Speaker has appointed three non-legislative members to NVTC (Jim LeMunyon, Raul "Danny" Vargas, and M. David Skiles), and one non-legislative member to NVTA (Randy Minchew).</p>
I-66 Tolling		
433	<p>House: Directs the Virginia Department of Transportation (VDOT) and the Secretary of Transportation to make changes to the tolling policies on I-66 Inside the Beltway and initiate tolling of reverse commuters when the current Eastbound widening project from the Dulles Connector Road to Ballston is completed.</p> <p>Senate/Conference: No Language</p>	<p>The County opposes tolling reverse commuters, as such an action will create impacts on already-congested surrounding roadways and was not part of the original I-66 agreement.</p>

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Budget Item #	Issue	Fairfax County Impact
<u>Other WMATA-Related Items</u>		
445	<p>Governor Northam's Budget: Includes \$2.4 million from the Mass Transit Account for federally mandated state safety oversight of fixed rail guideway transit agencies, i.e. the Metrorail Safety Commission (MSC). There is no change from the previously approved budget.</p> <p>House/Senate/Conference: No change.</p>	<p>The County supported the MSC legislation during the 2017 GA session. Utilizing this funding for the MSC could lead to slightly reduced funding for statewide transit funding (the Northern Virginia region receives a significant portion of this funding).</p>
445	<p>Governor Northam's Budget: Retains language directing VDOT to provide a loan of up to \$6.2 million each year to address any shortfall in transit funding due to the Federal Transit Administration's (FTA) withholding of Virginia's transit allocations because the MSC has not been enacted by all of the signatory parties. The amounts would be repaid once FTA releases Virginia's allocations.</p> <p>The MSC has had several meetings and has submitted the application for certification to FTA. The certification, which is currently under review, must be completed by April 15, 2019.</p> <p>House/Senate/Conference: No change.</p>	<p>Should help address funding shortfalls for transit systems related to FTA's decision. The delay could impact approximately \$4 million for Northern Virginia transit systems, including WMATA and Virginia Railway Express (VRE).</p>
445	<p>House: No Language</p> <p>Senate: Provides \$2 million from the Department of Rail and Public Transportation (DRPT) unrestricted operating reserves for the evaluation of enhanced public transportation services from the Franconia-Springfield Metro Station to Lorton, Potomac Mills, and Marine Corps Base Quantico. The review will include assessing the feasibility of extending the Blue Line and other multimodal options, such as bus rapid transit along I-95 and U.S. Route 1.</p> <p>Conference: No Language</p>	
<u>Mass Transit</u>		
445	<p>Governor Northam's Budget: Retains \$840 million for Public Transportation Programs for the biennium, including \$181.9 million for Operating Assistance (no change), \$73.3 million for Capital Assistance (no change), and a separate allocation of \$313.9 million for WMATA operating and capital costs (as provided in HB 1539/SB 856) (no change). Retains language directing DRPT to investigate options to establish a Master Equipment Leasing Program to serve as a revolving fund for the purchase of equipment.</p> <p>House: Allows a one-year transition for mass transit providers to prepare for the new allocation methodology for state transit operations funding, pursuant to HB 1539/SB 856.</p> <p>Senate: Delays implementation of statewide prioritization for the Commonwealth Mass Transit Fund for one year, and requires that additional congestion reduction metrics, including passenger miles traveled, be included in the operating assistance allocation formula.</p> <p>Conference: Allows a one-year transition for mass transit providers to prepare for the new allocation methodology for state transit operations funding, pursuant to HB 1539/SB 856.</p>	<p>Impact currently unknown due to recent and proposed changes to capital and operating allocation processes.</p> <p>The County supports state funding to help address the reductions expected for the Fairfax Connector. However, a delay in implementation of the new prioritization formula is preferable.</p> <p>The County supports this amendment, which will help address the reduction in funds expected for the Fairfax Connector in the first year and could impact projected allocations in future years.</p> <p>The County supports state funding to help address the reductions expected for the Fairfax Connector.</p>

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Budget Item #	Issue	Fairfax County Impact
	<u>Regional Gas Tax</u>	
443	<p>Governor Northam's Budget: Provides \$160 million over the biennium for regional gas taxes (for NVTC, PRTC, and the Hampton Roads Transportation Accountability Commission (HRTAC)). Specifically estimates \$123.2 million for NVTC over the biennium.</p> <p>House: Updates regional gas taxes distribution estimates to \$305.2 million for the biennium. This is a technical amendment that updates the actual revenues generated plus changes adopted in 2018 not reflected in the introduced budget (implementation of gas tax floor). Does not change specific estimates for NVTC, PRTC, or HRTAC.</p> <p>Senate: No change from the Governor's budget.</p> <p>Conference: Updates regional gas tax distribution estimates to \$305.2 million for the biennium. This is a technical amendment that updates the actual revenues generated plus changes adopted in 2018 not reflected in the introduced budget (implementation of gas tax floor). Does not change specific estimates for NVTC, PRTC, or HRTAC.</p>	<p>No impact. Makes information easier to find.</p> <p>No impact. The amount received by the County is dependent on actual collections of the revenue sources.</p> <p>No impact. The amount received by the County is dependent on actual collections of the revenue sources.</p>
	<u>Roadways</u>	
433	<p>House: Directs VDOT and the Secretary of Transportation to establish a workgroup to begin consideration of the long-term viability of the motor fuels tax.</p> <p>Senate: No Language</p> <p>Conference: Directs VDOT and the Secretary of Transportation to establish a work group to evaluate the long-term viability of the motor fuels tax.</p>	<p>No current impact, but this is being evaluated nationwide, as well.</p> <p>No current impact, but this is being evaluated nationwide, as well.</p>
	<u>Highway Maintenance</u>	
451	<p>Governor Northam's Budget: Provides \$3.97 billion for Highway System Maintenance and Operations over the biennium, a \$566 million increase over previous projections. This includes \$881.3 million for interstates (\$247.9 million increase); \$1.19 billion for primaries (\$259.6 million increase); \$1.2 billion for secondaries (\$89.6 million decrease); and, \$534.8 million for Transportation Operations Services (\$151.9 million increase).</p> <p>House: Retains the funding included in the Governor's introduced budget and also directs VDOT to increase the share of funding dedicated to Safety Service Patrol Services by \$5 million, to expand services across the Commonwealth's Interstate System, with priority given to the I-81 Corridor.</p> <p>Senate: No change from the Governor's budget.</p> <p>Conference: Retains the funding included in the Governor's introduced budget and also directs VDOT to increase the share of funding dedicated to Safety Service Patrol Services by \$5 million, to expand services across the Commonwealth's Interstate System, with priority given to the I-81 Corridor.</p>	<p>Using historical estimates, approximately \$96 million more may be available for maintenance and operations within Northern Virginia.</p> <p>Unknown at this time. The increase in funds provided for the Safety Service Patrol could be helpful, depending on how much of the funding is directed to I-81.</p> <p>Unknown at this time. The increase in funds provided for the Safety Service Patrol could be helpful, depending on how much of the funding is directed to I-81.</p>

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Budget Item #	Issue	Fairfax County Impact
	<u>Highway Construction</u>	
450	<p>Governor Northam's Budget: Provides \$5.43 billion for Highway Construction Programs over the biennium, an increase of \$660.9 million over previous projections. This includes: \$128.8 million for State of Good Repair (\$21 million increase); \$258.2 million for the High Priority Projects Program (\$50.9 million decrease); \$266 million for the Construction District Grant Program (\$43 million decrease); \$3.67 billion for Specialized State and Federal Programs (\$697.1 million increase); and, \$1.02 billion for Legacy Construction Formula Programs (\$33.9 million increase). Of the Specialized State and Federal Programs:</p> <ul style="list-style-type: none"> • \$227.4 million is for the Regional Surface Transportation Program (RSTP); • \$106.2 million is for the Highway Safety Improvement Program (HSIP); • \$159.2 million is for the Congestion Mitigation and Air Quality (CMAQ) Program; • \$200 million is for Revenue Sharing; • \$40.4 million is for the Surface Transportation Block Grant Program Set-Aside; • \$81.92 million is for the Virginia Transportation Infrastructure Bank (VTIB), including a \$75 million one-time allocation from the General Fund, which may be used for start up costs associated with the proposed I-81 Road Expansion; • \$3.5 million is for the Transportation Partnership Opportunity Fund (TPOF); • \$689.8 million represents the estimated project participation costs from localities and regional entities; and, • \$150.9 million in the second year represents the bond proceeds to be used for the Route 58 Corridor Development Program. <p>House/Senate: Removes the one-time \$75 million allocation for the VTIB from the General Fund, which was potentially for start-up costs associated with the proposed I-81 Road Expansion.</p> <p>Conference: Removes the one-time \$75 million allocation for the VTIB from the General Fund, which was potentially for start-up costs associated with the proposed I-81 Road Expansion.</p>	<p>Many of these funds are subject to the Smart Scale prioritization process, so the impact to Fairfax County is currently unclear.</p> <p>Retains the current funding levels for Revenue Sharing (\$100 million).</p> <p>An additional \$6.3 million is projected for RSTP and an additional \$3.3 million is projected for CMAQ, which could benefit the County. HSIP and Transportation Alternative funds are similar to what was allocated in previous years.</p>
434	<p>House: No Language</p> <p>Senate: Transfers \$8.5 million from the Transportation Trust Fund to the Commonwealth Spaceflight Fund for waterfront access improvements at the Mid-Atlantic Regional Spaceport and \$2.5 million from the Transportation Trust Fund to the Commonwealth Space Flight Fund for completion of the small rocket launch pad.</p> <p>Conference: Transfers \$5 million from the Transportation Trust Fund to the Commonwealth Spaceflight Fund for waterfront access improvements at the Mid-Atlantic Regional Spaceport. Also transfers \$2.5 million from the Transportation Trust Fund to the Commonwealth Space Flight Fund for completion of the small rocket launch pad.</p>	<p>Will reduce funds being provided for transportation construction.</p> <p>Will reduce funds being provided for transportation construction.</p>

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Budget Item #	Issue	Fairfax County Impact
450	<p>Governor Northam's Budget: Retains language directing the Commonwealth Transportation Board (CTB) to review and report on the overall condition and funding needs of large and unique bridge and tunnel structures in the Commonwealth, and make recommendations on addressing funding of such projects within the State of Good Repair (SGR) program, including assessing the impact of establishing a set-aside from the State of Good Repair funding pot.</p> <p>House/Senate/Conference: No change.</p>	<p>The report, approved by the CTB in December, identifies 25 structures considered Vital Infrastructure, their conditions, and unconstrained funding needs. Given the magnitude of the identified needs, the report notes that funding those unconstrained needs through the SGR program would severely impact the ability of the program to accomplish its intended purpose, stating that a dedicated program may be needed to support vital infrastructure. VDOT has asked that this initial report serve as an introduction, with a more comprehensive report to be presented in 2019.</p>
<u>Toll Facilities</u>		
452	<p>Governor Northam's Budget: Provides \$172.1 million for toll facilities over the biennium, including \$6.4 million for Debt Service (no change); \$93.2 million for Maintenance and Operations (\$43.8 million increase); and, \$72.6 million for the Revolving Fund (no change).</p> <p>House/Senate/Conference: No change.</p>	<p>The increase in funding for Maintenance and Operations appears to reflect the increase in the number of facilities in the Commonwealth.</p>
<u>Other</u>		
453	<p>House: No Language</p> <p>Senate: Directs the CTB to prioritize recreational access road funding for projects that improve handicapped access at State Park facilities.</p> <p>Conference: Directs the CTB to prioritize up to \$250,000 of recreational access road funding for projects that improve handicapped access at State Park facilities.</p>	<p>TBD.</p> <p>TBD.</p>

OTHER LEGISLATION OF INTEREST

Constitutional Amendments

Since 2019 is an election year for all GA members, this session was the time for consideration of “first resolution” Constitutional amendments (Constitutional amendments must pass in identical form twice; once before and once after a GA election, before being placed on the ballot for consideration by voters). A total of 42 Constitutional amendments were introduced this year, on topics ranging from casino gambling and same-sex marriage to redistricting and property tax exemptions. Many proposals had been previously considered by the legislature, such as measures that would have allowed a future Governor to serve two consecutive terms or allowed the GA to provide for the restoration of civil rights to felons by statute. Other proposals were more novel, such as a measure aimed at Dominion’s controversial Atlantic Coast Pipeline.

Although unsuccessful, proposals pertaining to ratifying the ERA received significant attention, with large numbers of interest groups and individuals – from Virginia and around the nation – attending committee meetings, offering public testimony, and demonstrating at the Capitol, in hopes that Virginia would be the 38th and final state needed to ratify the ERA. After the Senate passed **SJ 284** (Sturtevant) 26-14, a House Privileges and Elections subcommittee passed the bill by indefinitely, as well as three similar House measures, **HJ 583** (Ward), **HJ 577** (Rasoul), and **HJ 579** (Carroll Foy). Those defeats did not alter the intensity of the proponents’ lobbying efforts, as they continued to press for the ERA to be considered on the House floor, contending that it would pass if all House members had a chance to vote on it. While an attempt was made near the end of the session to modify the House rules in order to allow a floor vote, ultimately that effort failed. House Democrats also attempted to introduce the ERA as a floor substitute to **SJ 275** (Chase), which was seen as a Republican ERA alternative that would have reaffirmed that all persons residing in Virginia are afforded equal protection under the law. **SJ 275** was instead re-referred to House Courts of Justice a few days before the end of the session, and the GA adjourned without passing the ERA.

Conversely, five Constitutional amendments did pass, including **HJ 591** (Cole), allowing the GA to make technical adjustments to legislative districts after the decennial redistricting in order to fix split precincts (see also page 49). Similar legislation passed the 2018 GA, but was vetoed by the Governor due to concerns about its constitutionality (unlike a bill, House and Senate Joint Resolutions cannot be vetoed by the Governor).

In a major development on redistricting, after years of debate and consideration of numerous proposals, the 2019 GA passed a pair of identical Constitutional amendments on the topic, motivated partially by the mid-session announcement that a federal court approved new district boundaries impacting 25 House of Delegates districts and the desire to have an independent redistricting commission in place prior to the 2021 redistricting. **HJ 615** (Cole) and **SJ 306** (Barker) would create a 16-member independent redistricting commission (including eight legislators and eight citizens) for establishing congressional and state legislative districts. Of the eight legislators, four would be picked from each chamber with two from each political party. The eight citizen members would be appointed by a selection committee of five retired Circuit Court judges, chosen from a list of sixteen citizens suggested by the speaker of the House, the president pro tempore of the Senate, and party leaders of the other political party in each chamber. For the selection committee, four of the judges would be appointed by GA party leaders and the fifth would be selected by the other judges. The commission would be chaired by a citizen, and meetings would be open to the public and communications subject to FOIA. The commission would be required to hold public hearings before proposing or voting on redistricting plans. Six of the eight citizen members and six of the eight legislative members would need to approve the maps prior to submitting them to the GA for final approval. Though the House version included language requiring localities to create their own, local independent redistricting commissions, that provision was not included in the final bill. The measure passed both chambers by a wide margin, though some House members objected because African American participation in the commission is not guaranteed.

Separate legislation (**SB 1579** (Suetterlein)) also passed the 2019 GA, on a near party-line vote, setting out the criteria by which congressional and state legislative districts are to be drawn following the 2020 census and thereafter. The criteria include equal population, racial and ethnic fairness, respect for existing political boundaries, contiguity, compactness, and communities of interest. The Northam Administration vetoed a similar measure last year, citing concerns that the legislation does not include some essential elements.

Additionally, the 2019 GA continued the trend of passing Constitutional amendments pertaining to property tax exemptions. As introduced, **HJ 676** (Filler-Corn) and **SJ 278** (Reeves) required one motor vehicle (only automobiles or pickup trucks) belonging to a veteran with a 100 percent service-connected, permanent, and total disability be exempt from state and local taxes. Current law already allows such an exemption as a local option, and some localities do provide the tax exemption, including Fairfax County. Proponents of the measure wanted to ensure that all eligible veterans have access to the tax exemption, regardless of where they live in the Commonwealth. As has been the case in recent years, legislators on a House Privileges and Elections subcommittee expressed concern about the growing list of property tax exemptions that are mandatory for localities to provide – an unfortunate trend begun by the GA many years ago, reducing local revenues with no state fiscal impact. Because of those concerns, **HJ 676** was amended to be local option rather than mandatory, which is how it passed the House. However, **SJ 278** passed the Senate unanimously as a local mandate. The bills were sent to conference, where, not surprisingly, the bills emerged as local mandates and quickly passed both chambers.

Interestingly, one attempt at an additional property tax exemption did fail. **HJ 657** (Pogge) would have allowed the surviving spouse of a 100 percent disabled veteran to qualify for a real property tax exemption no matter when the disabled veteran died. Under current law, surviving spouses are only eligible for this property tax exemption if the disabled veteran died after January 1, 2011 – an early effort at reducing the scope of these property tax exemptions. After localities raised concerns, the bill was amended to make the entire underlying code section a local option, which would have made the existing exemption a local option. As a result, the patron asked that the bill be stricken and the issue did not move forward.

Elections

Though the Joint Subcommittee on Election Review (created by the 2018 GA) met three times during the off-session, the subcommittee did not vote on legislation or make recommendations, leaving the fate of election measures pertaining to absentee voting, split precincts and other issues unknown when the 2019 GA convened. Perennial issues, such as absentee voting, campaign finance, voter registration, photo identification, and military/overseas ballots, were again considered by the 2019 GA, as well as more novel ideas, such as a super precinct pilot program (which would have allowed localities to create precincts with more than 5,000 registered voters).

Absentee Voting

Similar to previous years, numerous absentee voting bills were introduced and, in a surprise to many, a compromise was reached early in the session to advance an expansion to absentee voting with **HB 2790** (Rush). **HB 2790** allows no-excuse in-person absentee voting for any registered voter beginning on the second Saturday immediately preceding any election in which they are qualified to vote. The bill retains current provisions for absentee voting by mail or in person beginning the 45th day prior to the election and ending on the second Friday immediately preceding an election, including the application requirement and the list of statutory reasons for absentee voting. Senate Privileges and Elections took a similar approach. Using **SB 1026** (Spruill) as the vehicle, the committee passed a substitute which was identical to **HB 2790**, as introduced, with the addition of enactment clauses specifying that the bill will apply to elections beginning with the November 3, 2020, general election and requiring the State Board of Elections (SBE) to submit a report to the Governor, GA, and House and Senate committees on procedures for implementing no-excuse in-person absentee voting and recommendations for further legislation necessary to facilitate implementation. As the bills made their way through the GA, initially some voiced concerns that they were only a modest step toward no-excuse absentee voting; however, the ability to reach any compromise in this area was a significant accomplishment. **HB 2790** passed the House 89-10, while **SB 1026** unanimously passed the Senate. Additional technical amendments were made and the bills passed both the House and Senate in identical form.

The 2019 GA also considered other bills pertaining to absentee voting. **HB 1790** (Krizek) allows an applicant who is in line to cast an absentee ballot when voting closes to be permitted to cast an absentee ballot that day. The bill codifies current practice in some localities, and passed the GA unanimously. Another bill, **HB 2682** (Sickles), sought to address the issue of absentee ballots that do not get counted because they are postmarked by election day but arrive after the polls close, partially due to the time it takes for the U.S. Postal Service to process and deliver mail. **HB 2682**, as passed the House, would have allowed absentee ballots postmarked by Election Day that arrive by noon on the Friday immediately following the election to be counted. Due to concerns that localities might be prevented from

releasing the unofficial results of their central absentee precincts on election night (in Fairfax County in 2018, the central absentee precinct reported the results of more than 70,000 absentee ballots) some technical amendments were suggested to allow unofficial results to be released on election night for ballots that arrived on time, with a second release of unofficial absentee ballot results on Friday (for the late-arriving ballots, as well as provisional ballots and federal write-in absentee ballots, which cannot be counted until all absentee ballots have been processed). The patron offered an amendment to address that issue in Senate Privileges and Elections, but committee members indicated their preference for an alternative approach to address late-arriving absentee ballots and the bill was defeated 8-6.

Voter Registration

An assortment of bills sought to address voter registration issues. A bill similar to one that was vetoed in 2017 and left in House Appropriations in 2018, **SB 1038** (Peake) requires general registrars to manually check Social Security numbers before registering applicants to vote, and to annually re-check the Social Security numbers of all registered voters in their respective jurisdictions. The bill also requires significant modifications to the Virginia Election and Registration Information System (VERIS), to facilitate the verifying of Social Security numbers, resulting in an anticipated fiscal impact of \$780,000 to the state. In order to eliminate the immediate fiscal impact, the Senate Finance Committee delayed the effective date of the bill to July 1, 2021, and the bill passed the Senate on a party-line vote. House Appropriations amended the delayed enactment clause to allow the bill to take effect when the Department of Elections implements a system to replace VERIS or July 1, 2021, whichever is later. The Senate rejected the House amendment, sending the bill to conference, where the House amendment was again rejected, and the bill passed the GA on a party-line vote with a delayed enactment of July 1, 2021.

HB 2764 (Wilt) also generated a fair amount of discussion and passed the GA on a party-line vote. Similar to a bill that was vetoed last year, the measure addresses the accuracy of voter registration forms collected by third-party organizations. As passed the GA, **HB 2764** requires a person assisting directly in the completion and collection of paper voter registration applications to provide their name, telephone number, and the group or organization with which they are affiliated on the registration application, and prohibits any registration application from being denied if such information is not provided. The bill includes an exemption for state or local government employees assisting with the completion or collection of registration applications as part of his/her official duties.

The 2019 GA also passed a handful of bills making modest changes to the voter registration process. **SB 1042** (Marsden), requires general registrars to notify a person whose registration has been denied within 14 days of the denial, and allows that person to appeal the denial by filing a petition within 10 days after being notified (current law only requires that general registrars provide such notice promptly and allows 10 days after the denial for an appeal to be filed). In an attempt to protect the privacy of foster parents, **SB 1244** (Reeves) adds foster parents to the list of protected voters. A protected voter is permitted to provide a post office box address located within the Commonwealth, in addition to the voter's street address, on their voter registration application – the post office box is the address included on lists of registered voters, persons who voted, absentee voter applicants, and voter registration records made available for public inspection. Under current law, protected voters include active or retired law-enforcement officers, any party granted a protective order, and active or retired federal or Virginia judges, among others.

Election Administration

Bills seeking to improve the administration of elections were also considered. In response to the national focus on election cybersecurity, **HB 2178** (Sickles) directs the SBE to promulgate regulations and standards to ensure the security and integrity of VERIS and technology used by localities to maintain and record registrant information. The bill also requires local electoral boards to develop and annually update security plans, to be submitted annually to the Department of Elections. The bill directs the SBE to convene a workgroup, including local government IT professionals and general registrars, prior to establishing the aforementioned standards, and allows the Department of Elections to limit a locality's access to VERIS if the locality has failed to develop security plans or comply with security standards established by the SBE. The Senate added a requirement that two legislators (one from House Privileges and Elections and one from Senate Privileges and Elections) participate in the workgroup; the House rejected that provision, sending the bill to conference, where the amendment requiring legislators' participation was replaced with a requirement that at least one JLARC staff person participate in the workgroup. The conference report then unanimously passed the GA. The 2019 GA also passed laws pertaining to how ballots are ordered and formatted. **HB 2046** (McNamara) and **SB 1577** (Suetterlein) require that all offices to be elected appear

before any ballot questions, and **HB 2148** (Ingram) requires that the name of all candidates be displayed in the same font, size, and style. Though these measures were introduced to address issues that arose in recent elections in specific localities, the bills codify current practice in many localities. A more novel proposal, **HB 2774** (Tran), regarding the provision of voting and election materials in languages other than English, failed to pass a House Privileges and Elections subcommittee.

Another measure, which would have moved the June primary from the second to the third Tuesday of the month, failed in previous years but seemed to have more traction at the start of the 2019 GA. Proponents argued that the measure would allow the primary to be held after the school year ended in most localities, instead of during the last days of the school year, thus improving the safety of students by removing the need for voters to access schools (which are common locations for voting precincts) while children are on the premises. The House Select Committee on School Safety included the proposal as one of their recommendations. **SB 1243** (Reeves) reported from Senate Privileges and Elections 13-1, but ran into trouble on the Senate floor with some Senators contending that the measure would suppress voter turnout, since voters could be on vacation after the school year ended, and the bill was defeated 18-22. **HB 1615** (Landes) had an easy trip through the House, passing the chamber 91-8, but also ran into trouble on the Senate floor, where it was defeated 11-28. The 2019 GA also considered, but did not pass, **HB 2048** (McGuire), which would have moved the May general election from the first to the second Tuesday in May and the June primary from the second to the third Tuesday; **HB 1984** (Lindsey), which would have designated election day as a state holiday and removed Lee-Jackson Day as a state holiday; and, **HB 1752** (Krizek), which would have made election day a school holiday.

General Registrars and Electoral Boards

Additionally, the GA spent considerable time on bills pertaining to general registrars and electoral boards. **HB 2034** (McGuire) provides for the removal of a general registrar by the circuit court upon petition by the local electoral board or the SBE. The bill requires the Virginia Department of the Treasury's Division of Risk Management (DRM) to assign counsel, upon the application of any electoral board member or general registrar against whom a petition for removal has been filed. Under current law, local electoral boards may remove general registrars by a majority vote and the SBE may petition the circuit court to remove a general registrar if, after petitioning the local electoral board to remove the registrar, the electoral board fails to do so. After passing the House 53-42, an amendment was added to the bill in Senate Privileges and Elections that would have required local government attorneys to provide counsel to local electoral boards initiating such proceedings. Numerous localities, including Fairfax County, raised concerns about potential conflicts of interest, and suggested that the amendment be modified to require DRM to provide such counsel. Instead, the amendment was completely removed by the Senate, which subsequently passed the bill 23-17, sending it to the Governor.

Bills were also considered that would change the SBE's composition and the appointment of the Commissioner of Elections, similar to a bill from last session. **HB 1620** (Ransone), which passed the House 51-47, would have increased the SBE membership from three to six members, increased the term of SBE members from four to six years, transferred the authority to appoint and remove the Commissioner of Elections from the Governor to the SBE, and directed the Department of Elections to employ a Director of Operations to oversee day-to-day operations. **SB 1455** (Vogel), as passed the Senate 35-2, increases the SBE membership from three to five members, increases the term of SBE members from four to five years, and transfers the authority to appoint and remove the Commissioner of Elections from the Governor to the SBE; the bill as passed the Senate takes effect January 1, 2020. The bills were sent to conference, and the bills as passed the GA are identical to **SB 1455** with the addition of a provision requiring geographical representation be considered for Board appointments, and an enactment clause specifying that the terms of the Commissioner of Elections be four years beginning on July 1, following the expiration of the Commissioner's initial term on June 30, 2022. The Northam Administration has announced opposition to the provision transferring authority to appoint and remove the Commissioner of Elections from the Governor to the SBE – the Administration also opposed this provision in bills that failed to pass the 2018 GA.

Campaigns

As is often the case, the 2019 GA passed legislation to address issues that arose in recent elections. In an effort to prevent candidates from submitting petitions with fraudulent signatures, **SB 1564** (Lewis), as passed, directs the SBE to revise its regulations by January 1, 2020, to include a process for checking and determining whether a signature on a candidate's petition belongs to a person whose registration has been canceled. **SB 1781** (Obenshain), as passed, clarifies that a proceeding to contest a primary or general

election will take place in the circuit court of the county or city that the challenged candidate listed as his residency on his certificate of candidate qualification; current law requires that the proceeding be in the county or city in which the challenged candidate resides. Regarding recounts, **HB 2625** (Lindsey), as passed, requires a recount court to issue a written order setting out the rules of procedures for the conduct of the recount prior to beginning the recount, and requires the SBE to promulgate guidance for conducting simultaneous recounts of two or more elections in a single election district.

A handful of bills pertaining to campaign finance were also considered. **HB 1617** (Cole) would have prohibited the use of campaign donations for personal use, which unanimously passed the House but was left in Senate Rules. **HB 1929** (Yancey), as passed the House, would have required all campaign finance reports to disclose the number of in-state contributors of \$100 or less, and itemize each out-of-state contribution of \$100 or more. The bill failed to report from Senate Privileges and Elections on a 7-7 vote. However, the 2019 GA did pass a modest change to campaign finance laws – **HB 1719** (Hurst), as passed unanimously, makes the provisions of the Campaign Finance Disclosure Act (CFDA) applicable to any candidate for town office in a town with a population less than 25,000, if the candidate accepts contributions or makes expenditures in excess of \$25,000. Currently, CFDA does not apply to such elections unless an ordinance provides otherwise.

Misassigned Voters and Split Precincts

The GA continues to struggle with the issue of misassigned voters, brought to light by a November 2017 election in which nearly 150 voters cast ballots in the wrong races, including the 28th District race that was decided by 82 votes. Resulting from discussions with localities prior to the 2019 session, **SB 1102** (Peake) would have allowed localities that have traditional boundary lines that are close to, but not exactly aligned with, legislative district lines (which are based on Census tracts), to adopt ordinances with the agreed-upon locality boundaries – the lines would then be reported to the U.S. Census Bureau and several state entities. The bill passed the Senate but was defeated in House Privileges and Elections over concerns about allowing localities to move legislative lines; in particular, concerns that any movement of Congressional district boundaries would run afoul of requirements that those districts be as exactly equal in population as possible. **SB 1087** (Obenshain), as introduced, sought to address split precincts by requiring localities to adjust precinct lines after the GA completes decennial redistricting; a locality could apply to the SBE for a waiver to operate a split precinct if it was unable to avoid splitting the precinct. After concerns were raised about the feasibility of this approach, a drastically different substitute for **SB 1087** was adopted in a House Privileges and Elections subcommittee. That substitute allows technical adjustments to be made to legislative electoral district boundaries following the enactment of decennial redistricting, solely for the purpose of aligning legislative electoral district boundaries with voting precinct boundaries (accomplishing the same goal that **HJ 591** (see also page 45) would accomplish). The bill went to conference, and the **SB 1087** substitute passed the GA on a near party-line vote.

HB 1649 (Fowler) and **SB 1594** (Dunnavant), as passed the GA, address this issue from another angle by making voluntary boundary adjustments easier and less expensive (by allowing the use of GIS maps rather than a full survey). Two other bills seeking to prevent future instances of voter misassignment by providing state assistance with GIS mapping also passed. **SB 1018** (Chase) and **HB 2760** (Sickles), as passed, are identical, and require the clerk of the county, city, or town, to send a GIS map, along with the ordinance describing the district boundaries, to the local electoral board, Secretary of the Commonwealth, Department of Elections, and Division of Legislative Services, when redistricting or making changes to local election districts. The Department of Elections will then verify that voters have been assigned correctly, and will include on its website maps showing the current election district and precinct boundaries of each county and city. A locality without GIS capabilities will be able to request that the Department of Elections create a GIS map on their behalf.

Ethics

Compared to previous years, the GA made only relatively modest changes to Virginia's Conflict of Interest Act (COIA) in 2019. A pair of identical bills (**HB 1889** (James)/**SB 1067** (Howell)) remove the requirement that the Virginia Conflict of Interest and Ethics Advisory Council meet quarterly, instead allowing the Council to meet upon the call of the chairman or when a majority of Council members request a meeting. Another bill, **SB 1491** (Chafin), allows a school district to hire a relative of the division superintendent if the superintendent certifies that he had no involvement in the hiring decision, and the assistant superintendent certifies to the school board that the employment is based on the candidate's merit, with no involvement from the superintendent.

The GA also passed a bill pertaining to conflicts of interest training for local elected officials. **SB 1430** (Obenshain) requires all local elected officials to take training on the State and Local Government Conflict of Interests Act, provided by the Council, at least once every two years (local officials in office on July 1, 2019, are required to complete training no later than December 31, 2019). As introduced, a local elected official's knowing violation of the bill would have constituted misfeasance in office or employment, punishable by forfeiture of office. In contrast, the Conflict of Interest Act pertaining to GA members explicitly states that there is no penalty for the failure of a GA member to attend the full or refresher COIA orientation session. The County successfully sought an amendment to **SB 1430** to align it with the requirements for GA members, removing the penalty. Another amendment sought by the County was incorporated into the bill, clarifying that COIA training for local elected officials can be offered online. The introduced bill also included a prohibition on Commonwealth's Attorneys serving simultaneously as county, city, or town attorneys, but that language was stripped from the bill by Senate Rules.

Firearms

Similar to previous years, many bills were introduced this year to expand gun rights or increase firearm safety. As has been the trend in the GA, most of these bills were defeated. A number of bills would have expanded local authority on guns in public facilities, and were of interest to local governments. **HB 1992** (Price) would have allowed localities to regulate firearm possession in buildings they own or use for governmental purposes. **HB 1856** (McQuinn) would have given localities the authority to adopt an ordinance to prohibit firearms in libraries owned or operated by the locality. Inspired by the events in Charlottesville, **HB 1956** (Toscano) would have authorized localities to prohibit firearms in a public space during a permitted event. All of those bills were defeated in House Militia, Police and Public Safety subcommittees. **SB 1303** (Edwards) would have allowed localities to regulate firearm possession at any regular or special meeting of its local governing body, provided that notice was publicly posted and the meeting room was owned or operated by the locality. That bill failed in Senate Courts of Justice. Another bill that was considered would have expanded the ability of firefighters to carry guns when carrying out their duties. **SB 1012** (Chase) would have allowed firefighters and emergency medical technicians to carry concealed handguns while on duty if they possessed a permit to do so and were allowed by their fire chief or emergency medical services chief. That bill passed the Senate and was reported from House Militia, Police and Public Safety, but was sent back to committee from the House floor, effectively killing the bill.

Freedom of Information Act (FOIA)

The GA considered a number of FOIA bills in 2019. As introduced, **SB 1431** (Obenshain) would have mandated that local elected officials receive FOIA training from the FOIA Council by December 31, 2019, and thereafter biennially. Currently, local government records officers are required to take training yearly by either the FOIA Council or the local government attorney. The bill was amended to remove the penalty for failing to take the training that was included in the original bill, and to move the initial deadline for training to be completed to December 31, 2020. The other major part of the bill, which was in the original version, eliminates the three-day notice requirement for an expedited hearing on a petition for mandamus or injunction for a violation of the law involving open meetings. After a number of changes, the bill was sent to a conference committee, which agreed to give local government attorneys the authority to conduct FOIA training for local elected officials (the bill also allows that training to be conducted by the FOIA Council). The final bill requires local elected officials to complete FOIA training, either by the local government attorney or through the FOIA Council training, within two months of taking office and once every two years while in office. The training may be provided online, but there is no penalty for failing to complete a training session. The bill also eliminates the three-day notice requirement for a hearing alleging a violation of the open meeting provisions of the act. **SB 1431** has a delayed effective date of July 1, 2020.

SB 1554 (Surovell) as introduced, stated that if a court were to find that any officer, employee, or member of a public body failed to provide public records to a requester in accordance with the provisions of FOIA because such officer, employee, or member of a public body altered or destroyed the requested public records with the intent to avoid the provisions of that chapter, the court could impose a civil penalty of up to \$100 per record altered or destroyed. A second provision of the bill, as introduced, stated that if a court were to find that a member of a public body voted to certify a closed meeting and at that time such certification was not in accordance with the requirements of FOIA (including discussions about things such as a person's health), the court could impose on each such member voting to certify in his individual capacity, a civil penalty of \$500. Those penalties would have been in addition to any penalties imposed under FOIA. In House General Laws, the bill was substantially amended to delete the section that dealt

with closed meetings, with the remaining bill applying only to records. Because of differences in the bill between the House and Senate, the bill was sent to a conference committee. The final bill that emerged from conference and passed the GA allows (not requires) the court to add an additional penalty if a person fails to provide public records because the person altered or destroyed the record with the intent to avoid the provisions of FOIA. As amended in conference and passed by both chambers, the final bill also provides that if an improper closed session was held, and the local government attorney was present, that the court may impose a penalty of up to \$1,000 on the governing body (earlier versions allowed the penalty to be assessed personally on governing body members).

Human Services

Children's Services Act (formerly known as the Comprehensive Services Act) (CSA)

The costs to both state and local governments of funding services for special education students have steadily increased over the last ten years. Though significant effort has gone into seeking ways to slow the growth of those costs through reviews and studies, substantive changes have not been made for the most part. Again this year a variety of bills were introduced to allow CSA funding to be used for services provided within public schools, including **HB 1619** (Thomas) and **SB 1104** (Peake). Other bills were introduced to authorize pilots by local school divisions, in the hopes of demonstrating that local school programs could provide effective services within the school setting for some special needs children instead of having those services provided in private day schools. All of those bills, **HB 2408** (Adams, L.), **SB 1264** (Vogel), and **SB 1576** (Suetterlein), were defeated in House Appropriations.

Early Childhood Care and Education

A major area of focus for Governor Northam's Children's Cabinet is early childhood development and school readiness. Two bills this session sought to make changes aimed at streamlining early childhood services, but both were unsuccessful. **HB 2458** (Landes) would have directed the Virginia Board of Education to establish and administer a statewide unified public-private system for early childhood care and education to ensure school readiness. The bill would have mandated that this system use both state-level authority and regional-level public-private partnership assets. The bill also would have created an Early Childhood Innovation Fund in order to: facilitate regional public-private collaboration; field test strategies and practices that support a system of comprehensive early childhood care and education services; and, deliver measurable school readiness outcomes and meet regional workforce support needs. Though the bill was reported by the House Education Committee on a 20-1 vote, it was then referred to House Appropriations where it was left in committee before crossover. **SB 1095** (Howell), as introduced, was similar to **HB 2458**, but during the legislative process it was significantly amended to instead direct the Superintendent of Public Instruction and the Commissioner of Social Services to convene a stakeholder group to consider the development of a unified early childhood education system that incorporates private and public options. The bill passed the Senate and was reported on a vote of 21-1 by House Education, but was also referred to House Appropriations where it was left in committee.

Foster Care

Changes to the state's foster care system under consideration this session have been driven by two major factors: JLARC's December 2018 report, which was critical of local departments' ability to meet requirements for children in foster care as well as DSS' capacity to support local departments, and the major changes to federal funding for foster care enacted in February 2018. The federal Family First Prevention Services Act of 2018 (FFPSA) seeks to significantly revise state foster care programs and offers new incentive funds to states adopting its principles. DSS has moved quickly to take advantage of incentives that would result in new revenues for services related to supporting foster care and other child-serving programs.

SB 1339 (Reeves) incorporates many of JLARC's recommendations for improvements to the foster care system, notably allowing the Commissioner of Social Services to develop a corrective action plan for a local department that fails to provide foster care services in accordance with law and to temporarily assume control over the local foster care services and associated funds if the local board fails to comply with the corrective action plan. The bill also establishes a caseload standard for foster care caseworkers. **SB 1339** was co-patroned by the entire Senate and passed both the Senate and House unanimously through every step of the legislative process. The budget conference report includes a series of budget amendments that provide additional funds for the proposed caseload standard, and direct DSS to review

all cases of children in congregate care and help local departments to find family placements (see also page 29).

Legislation to align the Code of Virginia with provisions of FFPSA also passed the GA through a series of bills – **HB 2014** (Peace), **SB 1678** (Mason), and **SB 1679** (Mason). The legislative, executive, and judicial branches of state government have been working since last summer to implement changes to the Title IV-E program that were enacted in FFPSA. The budget conference report includes about \$850,000 in FY 2020 to assist service providers with compliance with new requirements for services in order to qualify for federal reimbursement.

Opioids

As in previous years, the GA has sought to improve services and prevent deaths among persons using opioid-based medications, whether properly prescribed or used illicitly. Three bills expand the entities authorized to possess and administer naloxone, a drug that is designed to rapidly reverse opioid overdoses, to include regional jail employees (**HB 1878** (Garrett)), local school nurse and health department employees (**HB 2318** (McGuire)), and hospital emergency department and EMS employees (**HB 2158** (Plum)). **HB 2158** also eliminates certain requirements related to administering naloxone, allowing an organization providing services to at-risk individuals or training in the administration of naloxone to operate without obtaining a controlled substances registration, among others. **HB 2563** (Robinson) clarifies that possession of newly developed fentanyl testing products is not drug paraphernalia. All four bills passed the GA unanimously.

In addition, the 2019 GA considered bills pertaining to criminal penalties for opioid use and distribution. **HB 2528** (Hugo), which is similar to legislation that failed in previous years due to differences between the House and Senate's approaches, was precipitated by a Virginia Court of Appeals ruling (*Woodard v. Commonwealth, 2013*). As passed the GA, the bill expands the time, place and connection requirements for penalizing a death caused by a Schedule I or II controlled substance (including opioids and methamphetamine). Proponents of the bill contend that this policy change will facilitate felony homicide convictions (punishable by imprisonment of five to 40 years) of offenders who manufacture or distribute such drugs and result in deaths. The bill also provides a reduced penalty (Class 5 felony) for individuals who give, without intent to profit, a Schedule I or II controlled substance to another person (i.e., an individual shares fentanyl or opioids with a friend). The 2019 GA also passed legislation addressing situations in which individuals do not seek help for other individuals who are overdosing on drugs or alcohol. **SB 1349** (McDougle), which unanimously passed the GA, eliminates the current requirement that individuals substantially cooperate with law enforcement in overdose investigations to qualify for an affirmative defense from prosecution for the unlawful purchase, possession, or consumption of alcohol; possession of a controlled substance, marijuana, or controlled paraphernalia; or intoxication in public.

Other Human Services Legislation of Interest

HB 2017 (Peace) and **SB 1286** (Barker) allow individuals receiving auxiliary grants to select supportive housing without any requirement that such individuals wait until their first or any subsequent annual reassessment to make such a selection. The bills also expand the number of auxiliary grant recipients in the supportive housing setting from 60 to 90 statewide, with an enactment clause increasing that number to 120, if the waiting list for such services exceeds 30 individuals on October 1, 2020. To address another area of concern, **HB 2560** (Pillion) and **SB 1224** (Chafin) authorize local departments of social services to establish and maintain hospital and community-based multidisciplinary teams focused on the abuse and exploitation of adults 60 years of age or older, or 18 years of age or older who are physically or mentally incapacitated. The bills also authorize the Commonwealth's Attorney to establish a multidisciplinary adult abuse, neglect and exploitation response team to review such cases.

Immigration

Echoing the national debate over immigration, the GA continued a trend from recent sessions by considering several immigration-related bills. The GA again revisited the issue of sanctuary cities with the introduction of **SB 1156** (Black). That bill was enacted to prohibit local ordinances, procedures, or policies that restrict enforcement of federal immigration law. While Republicans argued that the bill would protect against localities that do not want to see immigration laws enforced, Democrats argued that the bill is unnecessary since localities cannot preempt federal immigration law and sends the wrong message to the immigrant community. **SB 1156** passed both chambers on party-line votes (21-19 in the Senate and 51-

47 in the House). Similar bills passed the GA in previous sessions, but were vetoed by the Governor. Also passing on a party-line vote, **HB 2270** (Poindexter) requires that a sheriff, jail superintendent or other official in charge of a local correctional facility or regional jail notify U.S. Immigration and Customs Enforcement of the pending release or discharge of an undocumented inmate as soon as the release date is known.

A number of other bills addressed immigration-related issues but failed, including: **HB 2392** (Lopez), which would have prohibited state and local law enforcement from inquiring about the immigration status of victims and witnesses in criminal investigations; **HB 2591** (Kory), which would have ensured that no student be deemed ineligible to establish domicile and receive in-state tuition at public universities solely based on the immigration status of their parents; and, **SB 1055** (Marsden), which would have ensured in-state tuition to public universities for individuals granted Deferred Action for Childhood Arrivals (DACA). Bills related to driver privilege cards for immigrants living in the Commonwealth were considered again this year, but were unsuccessful. Though the bills were slightly different regarding the documentation necessary to obtain the cards, the bills all made clear that driver privilege cards would confer and be subject to the same driving privileges as driver's licenses and permits; however, they would not confer voting privileges. **HB 1843** (Bloxom) and **HB 2025** (Tran) were tabled by a House Transportation subcommittee, while in the Senate **SB 1641** (Boysko) was incorporated into **SB 1740** (Surovell), which failed in Senate Transportation.

Mental Health

As is frequently the case, a number of bills related to mental health issues were considered by the GA, and many were successful. The Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century, created by the GA several years ago, has been extended until December 2021 through passage of **SJ 301** (Deeds) (see also page 66). This commission has been responsible for the study and assessment of nearly all mental health issues and publicly-funded programs in the Commonwealth. An additional bill, **SB 1488** (Hanger), passed the GA and directs a study of the high rates of usage at state mental health hospitals (see also page 65). A number of items in the budget conference report also seek to address this issue (see also pages 31 and 33).

The 2019 GA spent significant time on legislative proposals pertaining to the provision of mental and behavioral health care in local, regional, and community correctional facilities. **HB 1918** (Stolle) and **SB 1598** (Dunnavant) require the Board of Corrections to develop minimum standards of health care services (including medical, dental, pharmaceutical and behavioral health) for local, regional, and community correctional facilities. The Board may determine that a local, regional or community correctional facility that is accredited by the American Correctional Association or National Commission on Correctional Health Care meets such minimum standards solely on the basis of their accreditation status. All local, regional, and community correctional facilities, regardless of accreditation status, are required to submit a standardized quarterly continuous quality improvement report to the Board. Specific to behavioral health services in local correctional facilities, **HB 1942** (Bell, Robert B.) authorizes the Board of Corrections to establish minimum standards for behavioral health services in local correctional facilities, including requirements for behavioral health screening and assessment, discharge planning for individuals with serious mental illness, and at least one unannounced annual inspection of each local correctional facility. The bill also clarifies the authority for the exchange of health information and directs the Chairman of the Board of Corrections to convene a workgroup, including local government, sheriffs, and CSB representatives, and other stakeholders, to determine the cost of implementing the bill, with a report due to the Governor and GA committees by November 1, 2019. The bill passed the GA unanimously and will take effect July 1, 2019, (if signed by the Governor), except for the provisions pertaining to discharge planning for individuals in local correctional facilities, which will take effect July 1, 2020. **HB 2213** (Heretick) adds probation officers to the list of persons authorized to receive medical and mental health information and records of any person committed to jail and transferred to another correctional facility. **HB 1933** (Hope) establishes a process for a sheriff or administrator in charge of a local correctional facility to petition a court to authorize medical or mental health treatment for a prisoner who is incapable of providing consent.

Online Checkbook

Requiring an online checkbook has been considered in recent sessions, but has failed as a result of concerns from localities about the potential costs and legal issues involved in carrying out such a mandate. **SB 1262** (Sturtevant) and **HB 1907** (VanValkenburg) would have required localities with populations greater than 25,000 and school divisions with more than 5,000 students to post online nearly all expenditures on a quarterly basis (some exceptions narrowed the bill significantly from the previous

versions). The bills included exemptions from posting for information exempt from mandatory disclosure under FOIA, personal information related to a court-ordered payment (wage garnishments), and information related to undercover law enforcement. Though the County already posts information about most financial transactions online, the exemptions in the bills did not cover some items the County does not post due to their sensitive nature. To address those issues, the County was successful in amending **SB 1262** to include exemptions for other information prohibited by law from disclosure and any information related to a settlement or contract that contains a confidentiality clause. However, **HB 1907** failed in a House Counties, Cities and Towns subcommittee, and after passing the Senate, **SB 1262** suffered the same fate.

Public Safety and Court Administration

Bills heard this session dealing with matters of public safety and the administration of the court system encompassed a wide variety of topics, including training standards for public safety personnel, decriminalization of marijuana, student discipline, domestic and sexual assault, and mandatory reporters of child abuse and neglect. The House and Senate Courts of Justice Committees also spent considerable time on numerous legislative proposals recommended by the Virginia State Crime Commission pertaining to sex trafficking, and the fingerprinting of defendants and the Central Criminal Records Exchange (CCRE).

Body-Worn Cameras

The 2019 GA also considered a handful of bills regarding body-worn cameras, but none were successful. **HB 2424** (Levine) would have required localities to adopt and establish a written body-worn camera policy prior to purchasing or deploying body-worn cameras. **SB 1033** (Stanley) and **SB 1052** (Chase) pertained to the release of body-worn camera recordings, and would have provided a procedure for a defendant to request access to the recordings in possession, custody or control of the Commonwealth. The bills also would have permitted the Commonwealth to redact personal identifying information from the recordings, and provided a retention schedule for maintaining the recordings, among other provisions. **SB 1052** was incorporated into **SB 1033**, which was passed by indefinitely by Senate Finance after it was considered by the Senate Courts of Justice Committee, where Senators commented that the bill may be a year ahead of its time, suggesting that this proposal likely will be considered in future years. Although the GA did not pass these measures, the budget conference report includes a number of provisions related to body-worn cameras (see also pages 16 and 19-20).

Unmanned Aircraft Systems

The use of unmanned aircraft systems (UAS), or drones, continued to be an area of interest for the GA this year. **HB 1636** (Knight), as passed, addresses the problem of UAS taking off or landing in prohibited areas. Under the bill, any person who knowingly and intentionally causes a UAS to take off or land in violation of current Federal Aviation Administration Special Security Instructions or UAS Security Sensitive Airspace Restrictions is guilty of a Class 1 misdemeanor.

The 2019 GA also considered two bills pertaining to when and how UAS can be used by law enforcement. As passed the House, **HB 2552** (Brewer) would have allowed the use of a UAS during the execution of a search warrant as long as a copy of the executed search warrant was served on the subject of the warrant and the owner of the property that was searched within 10 days after the UAS was used. The bill also would have allowed a circuit court to grant extensions of the notice requirement upon request and for good cause shown – an extension could not exceed 30 days, but there would be no limit to how many extensions could be granted. Though that language is similar to the law governing search warrants for tracking devices on vehicles, the Senate Courts of Justice Committee had substantial concerns about the privacy implications of the bill and ultimately passed it by indefinitely on a 12-3 vote. **SB 1507** (Carrico) takes a different approach to allowing law enforcement to use UAS, and, as passed the GA, adds two circumstances to the situations in which a law-enforcement officer can deploy a UAS without a search warrant: to aerially survey the primary residence of a person subject to an arrest warrant, in order to formulate a plan to conduct the arrest of that person, or in order to locate a person sought for arrest when the person is fleeing from law enforcement and an officer is in pursuit.

Driver's License Suspension

Though efforts to reform the use of driver's license suspension as a penalty for non-payment of court fines and costs failed in previous years, there was optimism at the beginning of the 2019 GA that the measures would meet a different fate this year. During the Governor's presentation of his introduced budget to the

money committees in December, he announced that funding was included to offset the anticipated negative fiscal impact on the Department of Motor Vehicles (DMV) from losing reinstatement fees, proclaiming that Virginia would no longer suspend driver's licenses for unpaid court costs and fees – a change that would require GA approval. Just a few days after the Governor's announcement, a federal judge granted an injunction to stop the DMV from enforcing a law requiring automatic license suspensions for failure to pay court fines. Both developments suggested that the 2019 GA would take action to address the use of driver's license suspension as a penalty for failing to pay court fines and costs, which has resulted in over 600,000 Virginians with suspended licenses. These suspensions create a vicious cycle for low-income defendants – they are unable to pay the fines, resulting in their license being suspended, which impedes their ability to drive to work, potentially leading to loss of the job that makes eventually paying the fines possible. Some defendants may even, in desperation, drive to work on a suspended license, substantially increasing their fines as well as their legal jeopardy. However, although the Senate passed two bills pertaining to driver's license suspension (**SB 1013** (Stanley) and **SB 1613** (Ebbin)) by a wide margin, a House Courts of Justice subcommittee defeated both bills on a 4-3 party-line vote. **SB 1013** would have repealed the requirement to suspend the driver's license of a person convicted of any violation of law who does not immediately pay fines or costs. **SB 1613** would have removed the suspension requirement for someone convicted of, or placed on deferred disposition for, a drug offense, and for violations not pertaining to the operation of a motor vehicle.

Protective Orders

As in previous years, the 2019 GA considered a number of bills pertaining to protective orders (PO). A handful of these bills sought to expand the law enacted by the 2016 GA prohibiting family abuse two-year (or permanent) PO respondents from knowingly possessing firearms while the PO is in effect. **SB 1078** (Howell) would have expanded this prohibition to include non-family abuse two-year PO respondents. **HB 2504** (Murphy) included a similar provision, and also would have required both family abuse and non-family abuse two-year PO respondents to certify in writing to the clerk of the court, within 48 hours after being served with the PO, that any firearm in his/her possession was sold or transferred – failure to file such certification would have been a Class 1 misdemeanor. **SB 1467** (Saslaw) also sought to expand the 2016 law to include non-family abuse two-year PO respondents, and to establish a process to ensure that family abuse and non-family abuse two-year PO respondents sell, transfer or surrender their firearms; notably, the bill would have required a law-enforcement agency, within each judicial circuit, to receive and store surrendered firearms. **HB 2777** (Herring) took a different approach to addressing this issue, and would have required the Department of Criminal Justice Services to develop guidance documents and instructions for law-enforcement agencies on the surrender or transfer of firearms by a person who is subject to a family abuse two-year PO. **HB 2504**, **SB 1467**, and **HB 2777** did not report from their committee of origin; **SB 1078** was reported and re-referred from Senate Courts of Justice to Senate Finance, where it was left.

The 2019 GA did make modifications to other aspects of POs, including **HB 1997** (Price), which seeks to address situations in which a PO is issued involving two students attending the same school. As passed the GA, the bill requires any school principal who is notified that a PO has been issued to protect a child enrolled at their public school to notify relevant school personnel that the order has been issued. The bill also requires the Virginia Department of Education (DOE) to develop guidelines and model policies to aid school boards in implementing this legislation.

Judgeships

For the past few years, the GA has relied on a study conducted by the National Center for State Courts to determine the number of judges needed for each court in the Commonwealth. The study was first completed in 2013 and updated in 2015 and 2017. In Fall 2018, the Chief Judge of the Fairfax County/City General District Court (GDC) (19th Judicial District) asked the Committee on District Courts to recommend that an additional judge be authorized for that court, bringing the total number of authorized judges from 11 (as provided in the 2017 caseload study) to 12. The Committee agreed and recommended to the GA that a 12th judgeship be created for the Fairfax County/City GDC. Two identical bills, **HB 2510** (Hugo) and **SB 1121** (Petersen), were introduced to enact this increase from 11 to 12 judges. Senator Petersen also submitted a member budget amendment to secure funding for the 12th judgeship (filling a judgeship is a two-step process that requires both authorization and funding). The House bill was unanimously reported and re-referred from House Courts of Justice to House Appropriations, where a subcommittee tabled the bill, citing concerns about the \$260,000 annual fiscal impact. Though the Senate bill unanimously passed Senate Courts of Justice and the full Senate, it ultimately met the same fate in a House Appropriations subcommittee, where concerns were raised about both the fiscal impact and the precedent that would be

set if the bill passed, given the numerous other courts seeking additional judgeships. As a result, the Fairfax County/City GDC – which is the busiest court in the state overall, as well as in new traffic, criminal, and driving under the influence cases – will continue to have judicial caseloads that far exceed the state average (in 2017, the Fairfax County/City GDC judges had a caseload of 31,242, which is 39 percent higher than the state average of 22,537 case filings per GDC judge statewide (excluding the Fairfax County/City GDC)).

School Calendar

As in previous years, several school calendar bills were introduced, seeking to give local school divisions greater autonomy over determining the opening of the school calendar year. These bills essentially undo the so-called “Kings Dominion” law, which mandates that local school divisions start after Labor Day unless they are eligible to apply for a waiver from DOE (waivers can be granted for “good cause,” including multiple weather-related closures or for other circumstances). The law was originally created to aid the tourism industry by ensuring that summer extended to Labor Day, but school divisions often cite the need for increased local flexibility and additional instructional days before state assessments as reasons to eliminate that requirement. All previous efforts to make this change failed, but in 2019, **HB 1652** (Robinson) and **SB 1005** (Chase) were finally successful. The compromise included in the bills creates three groups of school divisions based primarily on whether or not they currently hold “good cause” waivers:

- The first group of school divisions includes any jurisdiction that has held a “legacy” good cause Labor Day waiver grandfathered in the budget since 2011-2012 – those jurisdictions would be able to open prior to Labor Day with no opening date restrictions or pre-Labor Day holiday requirements.
- The second group includes any jurisdiction holding a good cause waiver this year, which includes FCPS. Those divisions would continue to be able to start prior to Labor Day with no opening date restriction, but would have to give a holiday on the Friday prior to Labor Day.
- The final group includes school divisions that do not qualify under either of the previous waiver groups (including Falls Church, Arlington, and Alexandria) and would be allowed to open no earlier than 14 days prior to Labor Day – they would also have to give the pre-Labor Day Friday holiday.

School Safety

Prior to the beginning of session, the House Select Committee on School Safety and Governor Northam’s Work Group on Student Safety reviewed student safety in Virginia’s schools and made recommendations on improvements. Multiple pieces of legislation were filed in line with these recommendations, covering a wide variety of issues, though from the inception of the House Committee, the House leadership made it clear that issues relating to guns and gun control were off the table and would not be considered. **HB 1729** (Landes) requires each school counselor employed by a school board in a public elementary or secondary school to spend at least 80 percent of their staff time during normal school hours in the direct counseling of individual students or groups of students. This increases the amount of time school counselors are currently required to spend on such tasks and may require local school divisions to employ additional staff to cover duties previously assumed by school counselors. The bill advanced through both the House and Senate unanimously and awaits action by the Governor. **HB 2053** (McQuinn) and **SB 1406** (Dance) originally would have required school boards to employ school counselors in accordance with a series of decreasing ratios, with the ultimate goal that by the 2021-2022 school year the ratio would be one full-time school counselor for every 250 students at each level of elementary, middle, and high school. Both bills were amended during the session to include counselor to student ratios of 375:1 at the elementary school level, 325:1 at the middle school level, and 300:1 at the high school level. However, in an unusual series of events, the bills subsequently diverged, with **SB 1406** passing the GA with the aforementioned ratios, and **HB 2053** being amended and sent to conference committee. As passed the GA, **HB 2053** includes counselor to student ratios of 455:1 at the elementary school level, 370:1 at the middle school level, and 325:1 at the high school level – these ratios are identical to what is included in the budget conference report. The bill also includes an enactment clause clarifying that the ratios set forth in the budget conference report are the ratios required by law. Additionally, if two bills pass the GA that address the same issue but do so differently, it is the bill signed last by the Governor that takes precedence. Though reducing the ratio of school counselors in the Standards of Quality will increase state direct aid to education and the Governor has accounted for this in his budget proposals, the budget conference report provides \$12 million statewide for these changes (a reduction of about \$24 million from the Governor’s proposal). Local matching funds will still be required if these bills are enacted in school divisions that have existing staffing ratios higher than those stipulated. FCPS currently meets the new ratio requirement system wide without adding counselors, but the ratio is expected to be lowered over a three-year period and FCPS likely will have to add counselors in FY 2021.

HB 1725 (Knight) requires each school board, in consultation with the local building official and the state or local fire marshal, to develop a procurement plan to ensure that all security enhancements to public school buildings are in compliance with the Uniform Statewide Building Code and Statewide Fire Prevention Code. The bill passed the House and Senate unanimously. **HB 1732** (O’Quinn) and **SB 1215** (Newman) require each public elementary and secondary school principal to develop and deliver to each student and employee in the school at least once annually training on safety procedures in the event of an emergency situation on school property. The Virginia Board of Education will also be required to develop guidelines for the development and delivery of this training. The bills passed the House and Senate unanimously. **HB 1738** (Rush) requires the architect or engineer who provides the required statement to accompany a local school superintendent’s approval on all plans for new or remodeled public-school building construction to be trained and experienced in crime prevention through environmental design. The bill passed the House and Senate unanimously. **SB 1213** (Newman) requires the Virginia Center for School and Campus Safety to develop a case management tool for use by public elementary and secondary school threat assessment teams, and requires those teams to use the tool to collect and report to the Center quantitative data. The bill passed the Senate and House unanimously and has already been approved by the Governor.

A number of bills dealt with the issue of school resource officers (SROs). **SB 1130** (Locke) originally required each SRO to be trained and certified by the Virginia Center for School and Campus Safety, which is not current practice, and expanded the topics on which School Security Officers (SSOs) are required to be trained. Local government groups raised concerns about the potential unfunded mandate of such a requirement. Fairfax County already requires such training for all SROs, so this new requirement would have been duplicative and potentially not as extensive as the training the County already provides. At a hearing in a Senate Education and Health subcommittee, the bill was recommended to report with a substitute, which incorporated several other bills mandating training standards of SROs and of local school division personnel – **SB 1299** (Barker), **SB 1530** (Deeds), and **SB 1551** (Surovell). **SB 1130** was ultimately enacted with language allowing for more permissive training standards to be determined by the Criminal Justice Services Board, and additional local and online training options were also included. **HB 1733** (Gilbert) and **SB 1214** (Newman), as enacted, require the school board in each school division in which the local law-enforcement agency employs SROs to enter into a memorandum of understanding (MOU) with the local law-enforcement agency that is based on a model developed by the Virginia Center for School and Campus Safety, which sets forth the powers and duties of the SROs. The bill requires each such school board and local law-enforcement agency to review and amend or affirm the memorandum at least once every five years or at any time upon request of either party.

Two additional bills, **SB 1207** (Stuart) and **HB 2142** (Thomas), were introduced to provide additional local flexibility to localities struggling to hire SROs or SSOs, due to lack of funds or available qualified labor, by creating a new class of school security personnel called “school protection officers” (SPOs). These individuals must be retired law-enforcement officers hired on a part- or full-time basis by local law-enforcement agencies to provide school security. The Criminal Justice Services Board is directed to establish minimum training standards for these individuals that includes local options. Though **HB 2142** passed the GA, **SB 1207** was defeated on the House floor.

Additional bills related to school safety and elections in school facilities were also considered by the GA (see page 48).

Smoking

The 2019 GA also passed a number of measures addressing the use of tobacco products. **HB 2748** (Stolle) and **SB 1727** (Norment) address the epidemic of teenage vaping by seeking to end teen access to tobacco products, raising the minimum age required to purchase tobacco products in Virginia to 21 (the bill provides an exception for active duty military personnel). Current law includes a civil penalty of \$100 for a first violation, \$200 for a second, and \$500 for a third or subsequent violation – these penalties will apply to individuals under 21 who attempt to purchase tobacco, nicotine vapor, or alternative nicotine products, and to individuals who sell or distribute to, purchase for, or knowingly permit the purchase of such products by a person under 21. Though the bills garnered some opposition, both passed the GA fairly early in the session and were signed by the Governor before the session ended.

SB 1304 (Edwards) provides additional local authority to curb the impacts of secondhand smoke, authorizing localities to adopt an ordinance designating reasonable no-smoking areas within an outdoor amphitheater or concert venue owned by the locality. The bill requires adequate signage and caps the civil

penalty at \$25 (law enforcement may issue a summons regarding violation of the ordinance). The civil penalties assessed under this section are paid into the treasury of the locality where the offense occurred, and must be used for public health purposes. The bill passed the Senate 26-14 and, in a bit of a surprise, it unanimously passed the House.

Solar Energy

The issue of solar energy received a great deal of attention in the months leading up to the 2019 GA, with a variety of bills being introduced. The most expansive efforts on this subject came in the form of sweeping solar energy reform legislation, known as “Solar Freedom.” The legislation, **HB 2329** (Kearney) and **SB 1456** (McClellan), sought to achieve key reforms in renewable energy policy in a broad effort to remove barriers and create a stronger market for distributed solar energy, including: allowing local governments to install solar installations of up to 5 megawatts on government-owned property and use the electricity for schools or other government-owned buildings located on nearby property, even if not contiguous; clarifying that third-party financing using power purchase agreements (PPAs) is legal statewide for all customer classes; allowing all customers to attribute output from a single solar array to multiple meters on the same or adjacent property of the same customer (local governments would receive the added benefit of meter aggregation on non-contiguous sites); removing the restriction on customers installing a net-metered solar installation larger than required to meet their previous 12 months’ demand; allowing the owner of a multi-family residential building to install a solar installation on the building or surrounding property and sell the electricity to tenants; raising the size cap for net metered non-residential solar installations from one megawatt to two megawatts; lifting the one percent cap on the total amount of solar that can be net metered in a utility territory; and, removing standby charges on residential installations sized between 10-20 kilowatts. After substantial debate and discussion, **SB 1456** was passed by indefinitely in the Senate Commerce and Labor Committee by a 10-3 vote. **HB 2329** advanced out of a House Commerce and Labor subcommittee but failed to report from the full committee 7-8 – a good step forward for an issue that has received increased attention in recent years.

Related legislation was introduced to address the narrower issue of municipal net metering. **HB 2792** (Tran)/**SB 1779** (Ebbin) establishes a six-year pilot program that allows a locality to use excess energy generated by a renewable energy project to be credited towards electric bills for other municipal accounts. Both bills passed the House and Senate by comfortable margins. Though the concept of the legislation is helpful to local governments, opposition by Dominion Energy to the inclusion of the use of PPAs makes the legislation much less beneficial to Fairfax County – that issue is likely to be revisited in future GA sessions.

Undergrounding Utility Lines

The undergrounding of utility lines received a great deal of attention this session, as **SB 1759** (Surovell) took an interesting and unusual path through the GA. As introduced, **SB 1759** would have required that any existing overhead electric distribution, cable, or telecommunications line could be replaced with an underground line to accommodate a transportation infrastructure improvement in an area of transit-oriented development (TOD), if the CTB determined it was necessary. In such a case, the CTB would pay the utility the cost of relocating or removing the line above ground, while an electric utility could apply to recover the net costs of undergrounding a distribution line through a rate adjustment clause. A cable operator or telecommunications service provider could recover the net cost of undergrounding overhead cable or telecommunications lines in the same manner as it recovers other capital costs. The County supported the introduced bill, as it provided a mechanism for funding the high costs of undergrounding utility and telecommunications lines. However, along the way the bill morphed into many different versions, some very problematic, including one that had the County paying for the undergrounding costs. On the House floor, a substitute amendment was offered that would:

- Establish a pilot program under which Fairfax County can request that an electric utility place underground electric utility distribution lines in TOD areas in conjunction with a transportation infrastructure improvement project, identified by CTB as reducing congestion, improving mobility, incorporating transit systems and improving safety.
- Allow Fairfax County and an electric utility to enter into an agreement providing that:
 - The locality will pay the utility its full additional costs of relocating and converting that portion of the line in the locality underground, rather than overhead, that are not recoverable under applicable rates (net of relocation credits) (these costs shall include

- associated feasibility costs, or any smaller portion of such costs as the utility and the locality may agree);
- The locality will impose a levy on electric utility customers in the locality in an amount sufficient to cover the utility's additional costs, with the levy collected by the utility on behalf of the locality – residential utility customers will only be charged up to \$1 per month;
- The utility will convert, operate, and maintain the agreed portion of the line underground; and,
- Such other terms and conditions on which the parties agree.
- Require that when the CTB receives the agreement, the Commissioner of Highways will be responsible for securing the necessary easements and permits for the pilot program.
- The pilot program terminates three years after the effective date of the bill, but the termination does not affect any such agreement entered into prior to such date or any of the terms of such an agreement, including any additional levy imposed pursuant to such an agreement.

The substitute is silent on whether telecommunications and cable providers must similarly underground their lines, and is also silent on a mechanism to recover costs if they do underground those lines. Additional amendments were made to remove provisions included in previous substitutes that would have prohibited local land use reviews of distribution lines and any associated facilities, such as stations, substations, transition stations and locations, and switchyards or stations, that may be required. The Senate accepted the House amendments and the bill now heads to the Governor.

Though some of the County's concerns with the legislation were addressed, many were not. The final bill requires all electric utility customers within Fairfax County to pay the undergrounding levy, even if they live far from the undergrounding project. In fact, as written, the bill seems to require the County to impose the same levy on Northern Virginia Electric Cooperative (NOVEC) customers even if the undergrounding project is undertaken by Dominion. Additionally, it is currently the case that the State Corporation Commission (SCC) reviews requests by a utility to assess rate increases and authorize any new construction or renovation – SCC staff provide detailed analysis, require extensive supporting documentation from the utilities, and are able to compare the utility cost estimates with projects across the Commonwealth. SCC proceedings are open to the public, and any interested person (individuals, businesses, homeowner's associations, localities, among others) may participate, including requesting the underlying data to support the utility's cost figures. Fairfax County has participated in multiple SCC proceedings and has frequently requested information about underlying costs. **SB 1759** does not contain such safeguards to protect County customers, and without them the County may be dependent on the utility's estimate of the total project cost without the ability to ensure costs are reasonable. The bill also requires the County to pay for the project upfront and then recover the cost from ratepayers by adding a utility surcharge – the impetus for the bill is the Richmond Highway widening project from Mount Vernon Memorial Highway to Napper Road, and the projected cost for the undergrounding is approximately \$50 million. It is not clear where the advanced funding would come from, whether the County could receive interest on the surcharge for the advance, and how long it will take for the County to recover the costs.

Finally, the design public hearing for the Richmond Highway widening project is currently scheduled for March 26, 2019. If signed by the Governor, **SB 1759** will become effective on July 1, 2019, and if the County elects to pursue undergrounding, the overall project schedule would be significantly affected. The granting of new local authority by the GA is certainly helpful, and this bill potentially provides an interesting tool to assist in the financing of high cost undergrounding projects; however, this issue is complicated and potential implementation will require careful and detailed consideration by the County.

Towing

Issues surrounding towing have always been particularly contentious in Virginia, and the GA has often become involved in this subject. In an effort to increase towing rates in another Northern Virginia jurisdiction, **HB 1865** (Fowler) and **SB 1567** (Marsden) were introduced, setting maximum towing hookup and initial towing fees at \$150 for all localities, plus extra allowances for nights and weekends. Though most localities are authorized to set their own towing fees, localities in Planning Districts 8 and 16 (including Fairfax County) have certain fees specifically set out in state law. Originally, **HB 1865** and **SB 1567** would also have removed language prohibiting most other fees or charges from being imposed in the first 24-hour period. In response to concerns about the impact of the legislation raised by various jurisdictions and stakeholders, **HB 1865** and **SB 1567** were amended to require localities in Planning Districts 8 and 16 to establish by ordinance a hookup and initial towing fee of no less than \$135 and no more than \$150 (plus

additional fees allowed for nights and weekends), but did not include removal of language limiting other fees. **HB 1865** passed the House 83-15 and the Senate unanimously, while **SB 1567** passed the Senate unanimously and the House 67-31. Another bill related to towing that was not contentious was **SB 1510** (Carrico), which clarifies that only towing requests made by local law-enforcement officers (not state police officers) are subject to local ordinances regulating towing services for unattended, abandoned, or immobile vehicles. **SB 1510** passed unanimously.

Transportation

Regional Transportation Issues

Though a variety of bills considered by the GA would impact the Northern Virginia region, one bill was a specific request from NVTA. **SB 1468** (Black) shifts responsibility from VDOT to NVTA for the evaluation and rating of significant transportation projects in and near the Northern Virginia Transportation District, which was mandated in 2012 pursuant to **HB 599/SB 531**. The bill also adds authority for administrative and operating expenses to be paid by the NVTA fund – current law requires such expenses be allocated to the various NVTA localities. **SB 1468** passed the Senate 40-0 and the House 99-1.

Scooters

Electric scooters are an increasingly popular mobility alternative to walking, and electric scooter companies are currently operating in urban areas around the Commonwealth and the Washington metropolitan region, with expansion to more suburban areas likely in the near future. Those activities have raised questions for localities about how to safely and successfully allow electric scooters to operate. Initially, three separate bills – **HB 2214** (Jones, J.C.), **HB 2232** (Bagby), and **HB 2752** (Pillion) – were introduced to address the proliferation of these new vehicles; however, **HB 2214** and **HB 2232** were left in the House Transportation Committee, leaving **HB 2752** as the legislative vehicle. That bill, as passed, authorizes localities to regulate the operation of companies providing motorized skateboards or scooters for hire – if a locality does not take action to implement such regulation by January 1, 2020, the scooter companies can operate in that locality as they see fit. The bill prohibits the operation of a motorized skateboard or scooter faster than 20 miles per hour, and makes consistent the operational requirements for motorized skateboards or scooters and similar devices (such as bicycles), including: allowing motorized skateboards and scooters to be driven on sidewalks; requiring motorized skateboards and scooters on roadways to be driven as close to the right curb as is safely practicable; prohibiting the operation of motorized skateboards or scooters on any component of the interstate highway system; and, requiring operators of motorized skateboards and scooters to give hand signals and have lights on such devices. **HB 2752** passed the House and Senate unanimously.

Transportation Safety

Various bills impacting transportation safety were considered this session, including those related to distracted driving, the use of monitoring devices for speeding, and passing school buses.

Distracted Driving

As in years past, the GA undertook legislation related to distracted driving. Current law prohibits reading emails or text messages and manually entering letters or text in a device as a means of communicating on a hand-held device, like a cell phone, but allows other forms of cell phone use (for example, reading information on a website, dialing a phone number, or making musical selections). Initially, **HB 1811** (Collins)/ **SB 1341** (Stuart) would have prohibited using a handheld personal communications device while operating a motor vehicle for all uses unless a device was specifically designed to allow hands-free and voice operation and utilized in that manner. During the legislative process, the bills were rewritten to take a more straightforward approach, prohibiting any person from holding a personal communications device while driving a motor vehicle. The bills passed both the House and Senate and were sent to conference to make final changes. The conference report that emerged contained new language allowing the holding of a personal communications device while dialing and using it as a telephone. That new language led to substantial debate on the last night of the session, and in a surprise result, the conference report failed to pass the House. Additionally, while the more comprehensive bill was working through the GA, a bill specifically addressing distracted driving in a work zone was also considered. **SB 1768** (Mason) prohibits any person from holding a handheld personal communications device while driving a motor vehicle in a

highway work zone. After passing each chamber overwhelmingly but in slightly different forms, that legislation was also sent to conference, where language was added to clarify that a cell phone must be held in a person's hand in order to violate the law. **SB 1768** then passed the Senate 35-5 and House 77-20.

School Bus Cameras

Legislation was enacted in 2011 authorizing localities to adopt ordinances allowing school divisions to install and operate video-monitoring systems on school buses in order to record vehicles unlawfully passing a stopped school bus. Since then, a number of localities have enacted such ordinances, but have also identified barriers to implementation. One such barrier was addressed by the 2016 GA, which enacted legislation allowing the mailing of a summons for passing a stopped school bus. Another concern was raised about whether DMV is able to share vehicle information with school bus camera vendors, despite the DMV Commissioner assuring the Chairman of the Senate Transportation Committee that DMV does have authority to allow a vendor to view records for this purpose – FCPS has identified this potential issue as a barrier to implementing a school bus camera program in Fairfax County. In the 2019 GA, three bills were introduced to codify DMV's ability to share vehicle information with third-party vendors for the purposes of school bus camera programs. As introduced, both **SB 1476** (Deeds) and **SB 1520** (Carrico) would have authorized the DMV to release such information to a vendor upon request. Senate Transportation incorporated **SB 1476** into **SB 1520**, which included a provision prohibiting any conviction for passing a stopped school bus related to evidence from a camera (rather than observation by a police officer) from being reported to the DMV or made part of the operator's driving record, as well as a provision ensuring that a school bus camera ordinance enacted by a county would apply to infractions occurring within towns in that county, if the county provides the public school system (an unsuccessful bill in the House, **HB 2275** (Webert), would also have addressed the town issue). Additionally, **HB 2344** (Bell, Robert B.), as introduced, would also have authorized the DMV to release vehicle owner data to a school bus camera vendor, but added provisions regarding how long such data could be used and stored in order to address privacy concerns.

Efforts were made to align **SB 1520** with **HB 2344**, and a substitute passed the Senate and House. The substitute more closely resembles (though is not identical to) **HB 2344** as introduced, and includes provisions that: require the DMV to release vehicle owner data to a school bus camera vendor; require school bus camera vendors to store such data in a database with security comparable to that of the DMV's system; and, limit such data to being used exclusively for enforcement against individuals who pass stopped school buses. A person unlawfully disclosing such data would be subject to a civil penalty of \$1,000 for each disclosure. Some technical amendments were added and the bills passed the GA in identical form.

The GA also considered two bills increasing civil penalties for passing stopped school buses. **HB 1695** (Fariss) would have increased the civil penalty from \$250 to \$500, but a House Courts of Justice subcommittee tabled the bill in favor of advancing **HB 2273** (Webert). As introduced, **HB 2273** would have increased the civil penalty from \$250 to \$300 and would have created an increased penalty of \$600 for any driver passing a stopped school bus while holding or manually manipulating a handheld personal communications device. House Courts of Justice amended the bill to make the passing of a stopped school bus while using a handheld personal communications device an offense punishable by a mandatory fine of \$250. **HB 2273** passed the House, but was passed by indefinitely by Senate Transportation.

Speed Monitoring Devices

Legislation allowing for the first use of speed monitoring devices in the Commonwealth was enacted by the GA this session in very limited form. **SB 1521** (Carrico) permits the Department of State Police to operate handheld photo speed monitoring devices in highway work zones under certain circumstances – the officer must be physically present in or around the work zone and a conspicuous sign must be placed within 1,000 feet of the work zone. Offenders will be subject to a civil penalty not to exceed \$125 if there is evidence of such an offense. While a similar bill in the House, **HB 2795** (Torian), was unsuccessful, **SB 1521** passed the Senate 28-12 and was amended to limit the usage of the devices to when a law-enforcement vehicle is present and displaying blue lights. The House then passed the bill (74-24) and the Senate agreed to the amendments 30-8.

Other Transportation Safety Bills

Several bills sought to increase penalties for existing violations. State law requires the driver of a vehicle approaching a stationary emergency or public utility vehicle with flashing lights to move into a lane away

from the vehicle when possible, and to proceed with caution when moving over is not possible. Currently, the first offense is a traffic infraction but subsequent offenses involving vehicles with flashing lights is a Class 1 misdemeanor. **HB 1911** (Peace) defines such a violation as reckless driving, punishable as a Class 1 misdemeanor. A person committing such a violation, which leads to the death of another person, while driving on a suspended or revoked license resulting from a moving violation could be charged with a Class 6 felony. Further, a person convicted of reckless driving involving texting while driving will also be required to pay a mandatory minimum fine of \$250. **HB 1911** passed the House unanimously and was sent to the Senate, where slight modifications were made. The bill passed the Senate 37-3 and was sent to a conference committee. The conference report that passed the GA creates two separate offenses with different penalties – the charge for not moving over for vehicles displaying amber lights (tow trucks, construction or utility vehicles) would be a traffic infraction, while the charge for not moving over for vehicles displaying red, blue, and amber lights would be considered reckless driving.

HB 1941 (Bell, Robert B.) increases from a Class 6 felony to a Class 4 felony the punishment for a person who, as a result of recklessly driving or operating a watercraft or motorboat while intoxicated, causes permanent and significant physical impairment to another person. **HB 1941** passed the House 94-3 and was sent to the Senate, which added a definition for “serious bodily injury.” After a conference committee, the final bill mirrors the Senate language, and funding to implement the legislation was also included in the budget.

Other related bills were ultimately unsuccessful. **HB 1872** (Webert) would have exempted motorcycle operators and passengers over 21 years old from helmet requirements if they were also organ donors. **HB 2446** (Wilt) would have allowed motorcycles to drive on the right shoulder of limited access highways under certain circumstances. **HB 2155** (Plum) would have prohibited a driver from passing a vehicle stopped at a marked crosswalk to permit a pedestrian to cross the highway. **HB 2264** (Krizek) and **SB 1282** (Barker) would have required all occupants of motor vehicles to use seat belts. **SB 1154** (Black) would have created a traffic infraction for distracted driving. **SB 1550** (Surovell) would have created penalties for careless or distracted driving that causes serious physical injury to a vulnerable road user. The bill also would have prohibited the driver of a motor vehicle from crossing into a bicycle lane to pass another vehicle. **SB 1578** (Suetterlein) would have raised the threshold for reckless driving due to speeding (from driving in excess of 80 miles per hour to driving in excess of 85 miles per hour), while also maintaining the existing reckless driving threshold for going more than 20 miles per hour above the speed limit. Finally, **HB 2594** (LaRock) and **SB 1784** (Boysko) resulted from a report by the Metropolitan Washington Council of Governments, and would have added specific traffic incident management vehicles to a list of vehicles exempt from certain traffic regulations when responding to an emergency. The bill also would have allowed such vehicles to be equipped with flashing red, or red and white, secondary warning lights and sirens.

Other Transportation Bills of Interest

Legislation initiated to provide localities with more tools to address transportation and parking issues was also brought forward this year. **HB 2033** (Murphy) was introduced to address commuter traffic on local roadways in Fairfax County. One method of addressing cut-through traffic allowed by VDOT is to prohibit turns from major streets into some residential subdivisions during morning or evening rush hours. These restrictions prevent the residential secondary streets from becoming overly congested. However, a consequence of implementing that type of program is that neighborhood residents are also prohibited from turning onto designated streets, even if they live there. **HB 2033** will allow Fairfax County to create a program providing stickers or other appropriate vehicle designation that can be seen by police to identify residents who live in the community, allowing them to turn in an otherwise restricted area. Though similar bills failed last session, **HB 2033** passed the House 99-0 and Senate 32-7.

Currently, cities with a population of at least 40,000 are permitted to use contract employees for parking enforcement, while in counties and towns the summons or ticket can only be issued by law-enforcement officers or other uniformed employees of the locality. **HB 1818** (Delaney) and **SB 1044** (Black) were introduced to allow counties and towns with a population over 40,000 to also contract out this service. While being considered in the Senate, **SB 1044** was amended to cap the fine of a violation of this type of local ordinance at \$75, raising concerns in various jurisdictions about the impact of that cap on existing fines and fees. The bills were sent to conference, where the language capping fines was removed, and the bills passed the House and Senate comfortably.

ONGOING ISSUES AND STUDIES

Studies

As in years past, the creation of new study commissions was kept to a minimum, with many studies being conducted by state agencies rather than legislative bodies. A large number of study resolutions were tabled in the House, with members of the House Rules Committee noting that resolutions are not needed to request state agencies to conduct studies.

The 2019 GA considered a number of study proposals that would have a significant impact on the County. As introduced, **HJ 687** (Keam) would have requested the Office of the Executive Secretary of the Virginia Supreme Court to examine options and models for a tax court system in the Commonwealth, including assessing the tax court systems of other states, as well as options and models provided by research organizations. That version did not raise significant concerns for the County, but a substitute passed by Senate Rules during the last week of session was more problematic. That substitute would have created a joint subcommittee, comprised of legislators, to study court models and streamlined procedures for appealing tax assessment decisions, including streamlining appeals of a local board of zoning appeals or similar local body. Though local government input would have been required, localities have often faced legislative proposals that seek to upend the current assessment process and other local taxing decisions. Fortunately, the House rejected the Senate substitute, sending the bill to conference. The final study resolution, as passed the GA, directs the Small Business Commission to instead conduct the study and replaces the requirement to evaluate the local board of zoning appeals process with a requirement to evaluate options for streamlining appeals of a local board of equalization. An executive summary with findings and recommendations is due by the first day of the 2020 GA. This study has the potential to result in legislative recommendations that could change how the County handles local board of equalization appeals, and will be monitored closely by County staff.

Just before the beginning of the 2019 session, JLARC added an assessment of the Virginia Workers' Compensation Act to its workplan. Nevertheless, the issue of workers' compensation, particularly for public safety employees, received significant attention. As introduced, **HB 1804** (Hugo) and **SB 1030** (Cosgrove) would have added cancers of the colon, brain, or testes to the list of cancers that are presumed to be an occupational disease covered by the Virginia Workers' Compensation Act when firefighters and certain employees develop cancer. House Appropriations added two reenactment clauses to the measure, which require the 2020 GA to enact the bill for it to take effect, and to consider the research, findings, and recommendations of JLARC's review when considering and enacting legislation related to workers' compensation and the presumption of compensability for certain cancers. **HB 2513** (Hugo) and **SB 1465** (McPike) would have established a presumption that if certain firefighters, law-enforcement officers, hazardous materials officers, animal protection police officers, or 9-1-1 emergency call takers, dispatchers, or similarly-situated employees receive a diagnosis of post-traumatic stress disorder (PTSD) that occurred as part of their employment, the PTSD is covered by the Virginia Workers' Compensation Act except under certain circumstances. House Appropriations and Senate Finance sent **HB 2513** and **SB 1465**, respectively, to JLARC for inclusion in its study.

On the topic of procurement, **HB 1667** (Kilgore) and **SB 1369** (Norment) attempted to amend the Virginia Public Procurement Act to significantly limit the timeframe during which a public body could bring an action on a construction contract or against a surety on a performance bond. Specifically, the bills would have placed time limits on legal claims for such construction contracts, including a five-year statute of limitations under most circumstances. The bills would have affected state agencies, in particular the Department of General Services (DGS), institutions of higher education, county governments, and local school boards. **HB 1667** failed to advance out of a House Appropriations subcommittee, and **SB 1369** met the same fate in spite of having passed the Senate unanimously. However, the budget conference report requires DGS, with oversight from JLARC, to review the statute of limitations policy on state contracts for construction services, in consultation with state and local governmental bodies and representatives from the private sector. A report is due by December 31, 2019.

A select list of additional studies of interest to the County that passed the GA this year is provided below. County staff will be monitoring the progress of these studies throughout the year:

HB 2028 (Campbell, R.) requires the Board for Professional and Occupational Regulation to prepare an evaluation of legislation (filed during any GA session) increasing or beginning regulation of an occupation by the Department of Professional and Occupational Regulation.

HB 2767 (Bagby) establishes the Virginia African American Advisory Board to advise the Governor regarding the development of economic, professional, cultural, educational, and governmental links between the Commonwealth of Virginia and the African American community in Virginia. The Board shall be composed of 21 non-legislative citizen members of whom at least 15 must be African American. In addition, Secretaries of the Commonwealth, Commerce and Trade, Education, Health and Human Resources, and Public Safety and Homeland Security, or their designees, shall serve as ex officio members.

HB 2546 (Robinson) directs the Department of Health to establish a Maternal Death Review Team, which shall develop and implement procedures to ensure that certain maternal deaths occurring in the Commonwealth are analyzed in a systematic way. The Team shall review every maternal death in the Commonwealth. The Team shall not initiate a maternal death review until the conclusion of any law-enforcement investigation or criminal prosecution. The Team shall (i) develop and revise as necessary operating procedures for maternal death reviews, including identification of cases to be reviewed and procedures for coordinating among the agencies and professionals involved; (ii) improve the identification of and data collection and record keeping related to causes of maternal deaths; (iii) recommend components of programs to increase awareness and prevention of and education about maternal deaths; and, (iv) recommend training to improve the review of maternal deaths.

HB 2665 (Stolle)/**SB 1655** (Cosgrove) requires the Office of the Executive Secretary of the Supreme Court to develop a statewide evaluation model and conduct ongoing evaluations of the effectiveness and efficiency of all local specialty dockets established in accordance with the Rules of the Supreme Court of Virginia and submit a report of these evaluations to the GA by December 1 of each year.

HB 2726 (James) requires each local workforce development board to develop focused strategies to engage opportunity youth (defined as individuals ages 16-24 who are homeless, in foster care, involved in the justice system, or neither gainfully employed or enrolled in school) and place them on pathways to education, training, and careers. The bill also provides for local workforce development boards to develop performance measures for evaluating the results of the implementation of such strategies and submit the measures annually to the Governor's Chief Workforce Development Advisor by November 30.

HB 2741 (Aird) establishes the Clean Energy Advisory Board in the executive branch of government for the purpose of establishing a pilot program for disbursing loans or rebates for the installation of solar energy infrastructure in low-income and moderate-income households. The bill has an expiration date of July 1, 2022.

HJ 581 (Cole)/**SJ 276** (Reeves), as introduced, requested the CTB to study the I-95 corridor between Exit 118 and the Springfield Interchange and financing options for improvements to the corridor. On the Senate floor, **HJ 581** was amended to also study the effect that improvements to the Virginia Railway Express, the implementation of High Speed Rail, and enhanced transit service would have on mitigating traffic along the corridor. Both resolutions passed the House and Senate.

HJ 641 (Yancey) requests the Department of Health to evaluate and allow for stakeholder input on additional issues related to use of rainwater as part of the rulemaking process pursuant to a 2018 Act of Assembly, including (i) the conditions under which rainwater may appropriately be used and for what purposes; (ii) standards for the use of rainwater for human consumption; (iii) standards for rainwater harvesting systems, including systems that collect rainwater for human consumption and systems that collect rainwater for use by commercial enterprises but not human consumption; (iv) a requirement that buildings that draw water from both rainwater harvesting systems and public water supplies maintain appropriate cross-connection safeguards; and, (v) training and certification requirements for installers of rainwater harvesting systems, including installers of rainwater harvesting systems installed in buildings that draw water from both rainwater harvesting systems and public water supplies. The Department is also requested to provide an update on the status of the rulemaking process to the GA by November 1, 2019.

HJ 662 (Stolle) directs the Joint Commission on Health Care to study the dispensing of drugs and devices pursuant to prescriptions, pharmacy collaborative practice agreements, standing orders, and statewide protocols in the Commonwealth, including a review of the roles and responsibilities of pharmacists and

other health care providers prescribing, dispensing, and administering drugs and devices in accordance with laws and regulations. An executive summary of findings is due by the first day of the 2020 GA.

HJ 674 (Torian) requests the Department of Veterans Services and the Department of Taxation (the Agencies) to convene a joint working group to study the feasibility of exempting military retirement income from taxation. Under current law, military retirement income is tax-exempt only for recipients of the Congressional Medal of Honor. The Agencies are directed to consider potential revenue losses, the effects of phasing in the exemption over different time frames, the positive effects for Virginia's current population of veterans, and the impact on the Commonwealth's competitiveness as a desirable state of residence for veterans compared with other states. An executive summary and report is due by the first day of the 2020 GA.

SB 1126 (Lucas) requires JLARC to conduct a review of casino gaming laws in other states and submit its report to the Chairmen of the Senate Committee on General Laws and Technology and the House Committee on General Laws on or before December 1, 2019. The bill also authorizes casino gaming in certain cities in Virginia (including Bristol, Danville, and Portsmouth, and Richmond and Norfolk, which are potential sites for a casino owned and operated by the Pamunkey Indian Tribe) to be regulated by the Virginia Lottery Board and would require a referendum to pass in the city before casino gaming would be allowed. The bill, including the provision authorizing the referendum, would need to be re-enacted by the 2020 GA, and cities would not be permitted to hold a referendum prior to the publication of JLARC's report. In addition, the bill includes an enactment clause requiring the Virginia Lottery Board to promulgate regulations to implement the bill beginning January 1, 2020 and complete such regulations by June 30, 2020.

SB 1195 (Dance) directs the Virginia's Children's Cabinet to establish a school-based health centers joint task force that is tasked with (i) assessing the current landscape of school-based services and mental health screening, evaluation, and treatment in school settings; (ii) developing best practice recommendations for trauma-informed school-based health centers as a vehicle for the provision of both medical and behavioral health delivered in school settings (in coordination with DMAS and DBHDS); (iii) evaluating options for billing public and private insurance for school-based health services; and, (iv) developing a plan for establishing a Virginia affiliate member organization, recognized by the national School-Based Health Alliance, for the purposes of providing technical assistance and guidance for localities interested in bolstering or implementing current and future school-based health centers. A report is due by December 1, 2019.

SB 1371 (Norment) extends the study by the Joint Subcommittee to Evaluate Tax Preferences of options for the modernization of the cigarette taxes and possible reforms to taxation of tobacco products from November 2018 to November 2019. The bill also defines, for purposes of cigarette taxes, alternative nicotine product, heated tobacco product, liquid nicotine, and nicotine vapor product, and provides that the definition of cigarette includes only nicotine-containing products that produce smoke from combustion.

SB 1488 (Hanger) directs the Secretary of Health and Human Resources to convene a workgroup to examine the causes of the high census at the Commonwealth's state hospitals for individuals with mental illness. A report is due to the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century, the House Committee on Appropriations, the House Committee for Courts of Justice, the Senate Committee on Finance, and the Senate Committee for Courts of Justice by November 1, 2019.

SB 1557 (Dunnavant) requires the Secretary of Health and Human Resources and the Secretary of Agriculture and Forestry to convene a workgroup to review and recommend an appropriate structure for an oversight organization for the medical marijuana program in Virginia. A report is due by November 1, 2019. The bill also authorizes licensed physician assistants and licensed nurse practitioners to issue a written certification for use of cannabidiol oil and THC-A oil, and requires the Board of Pharmacy to promulgate regulations establishing dosage limitations, which shall require that each dispensed dose of cannabidiol oil or THC-A oil not exceed 10 milligrams of tetrahydrocannabinol.

SB 1591 (Dunnavant) directs the Virginia Center for School and Campus Safety to convene a workgroup to develop guidelines and best practices for the sharing of information between a local school board or public institution of higher education and law enforcement regarding a student whose behavior may pose a threat to the safety of a school or institution or the community. A report with the guidelines and best practices is due by October 1, 2019.

SB 1644 (Boysko) directs DBHDS to convene a workgroup to study the issue of and develop a plan for sharing protected health information of individuals with mental health treatment needs who have been confined to a local or regional jail in the Commonwealth and who have previously received mental health treatment from a CSB or behavioral health authority in the Commonwealth. A report is due to the Governor and GA by October 1, 2019, on (i) development of the plan, (ii) the content of the plan, and (iii) the steps necessary to implement the plan, including any statutory or regulatory changes and any necessary appropriations.

SJ 254 (Black) requests the Department of Transportation to study the feasibility of purchasing all or part of the Dulles Greenway.

SJ 301 (Deeds) continues the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century for two additional years, through December 1, 2021.

SJ 309 (DeSteph) requests the Virginia Marine Resources Commission to study the feasibility of creating protection zones for submarine fiber optic cables located along Virginia's shores.



**FAIRFAX COUNTY
LEGISLATIVE SUMMARY**

2019 GENERAL ASSEMBLY

February 28, 2019

Fairfax County Legislative Summary 2019 General Assembly

Board of Supervisors Report Key

<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Bill No. – Patron, (District No.) Bill Title</div>	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;">Committee/Floor Actions</div>	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> Bold = Date Position taken by full Board of Supervisors [] = Date position taken by BOS Legislative Committee </div>
<div style="border: 1px solid black; padding: 5px;"> HB 589 - Watts (39) Blue Star Memorial Highway; designating as portion of Old Keene Mill Road in Fairfax County. </div>	<div style="border: 1px solid black; padding: 5px;"> 1/10/2006 House: Referred to Committee on Transportation </div>	<div style="border: 1px solid black; padding: 5px;"> 12/5/2005 </div>
<div style="border: 1px solid black; padding: 5px;"> Initiate (067916260) Summary: Designates a portion of Old Keene Mill Road in Fairfax County a "Blue Star Memorial Highway." </div>		

Bold = Board Position, [] = BOS Legislative Committee Position (LD No. is version of bill on which position was taken)

Summary -- Reflects latest version of summary available on the Legislative Information System Web Site (If not noted otherwise, reflects summary as introduced)

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[HB 2458](#) Early childhood care and education; establishment,
Landes, R licensure.

[HB 2466](#) State Route 28; Department of Transportation to
Roem, D study.

[HB 2467](#) State Route 28; Department of Transportation to
Roem, D study.

[HB 2468](#) State Route 28; Department of Transportation to
Roem, D study.

[HB 2495](#) Fall cankerworm; spraying prohibited during certain
Tran, K months.

[HB 2504](#) Protective orders; possession of firearms, penalties.
Murphy, K

[HB 2506](#) Chesapeake Bay Preservation Areas; filling low-
Hodges, M lying areas.

[HB 2510](#) Judges; maximum number in nineteenth judicial
Hugo, T district.

[HB 2513](#) Workers' compensation; occupation disease
Hugo, T presumptions, PTSD.

[HB 2549](#) Cluster zoning; density calculation.
Jones, S

[HB 2643](#) Interstate 66; limits to \$15 the tolls collected on the
Delaney, K tolled portion.

[HB 2736](#) Local employee grievance procedure; qualifying
Hugo, T grievances by local government employees.

[HJ 577](#) United States Constitution; ratifies Equal Rights
Rasoul, S Amendment.

[HJ 579](#) United States Constitution; ratifies Equal Rights
Foy, J Amendment.

[HJ 583](#) United States Constitution; ratifies Equal Rights
Ward, J Amendment.

HJ 643 Webert, M	Composite index of local ability to pay; DOE to study effect of local use value assessment.
HJ 657 Pogge, B	Constitutional amendment; real property tax exemption, surviving spouse of a disabled veteran.
SB 998 Ebbin, A	Public employment; prohibits discrimination on basis of sexual orientation or gender identity.
SB 1013 Stanley, Jr., W	Driver's license; suspension for nonpayment of fines or costs.
SB 1035 Locke, M	Absentee voting; no-excuse absentee.
SB 1058 Favola, B	Companion animals; care, local ordinances.
SB 1075 Howell, J	Absentee voting; no-excuse in-person available 21 days prior to election.
SB 1078 Howell, J	Protective orders; possession of firearms, penalty.
SB 1095 Howell, J	Early childhood care and education; establishment, licensure.
SB 1104 Peake, M	Community policy and management teams; use of funds.
SB 1121 Petersen, J	Judges; maximum number in nineteenth judicial district.
SB 1127 Favola, B	Local government taxing authority; equalizes municipal and county taxing authorities.
SB 1129 Locke, M	Food stamps and TANF; eligibility, drug-related felonies.
SB 1198 Dance, R	Absentee voting; no excuse required when voting in person.
SB 1262 Sturtevant, Jr., G	Localities and school divisions; posting of register of funds expended.
SB 1323 Hanger, Jr., E	Capital outlay plan; updates six-year plan for projects.
SB 1369 Norment, Jr., T	Virginia Public Procurement Act; statute of limitations on actions on construction contracts, etc.
SB 1404 Petersen, J	Eminent domain; costs for petition for distribution of funds, interest rate.
SB 1456 McClellan, J	Distributed renewable energy; promotes establishment of solar and other renewable energy.
SB 1467 Saslaw, R	Protective orders; possession of firearms, surrender or transfer of firearms, penalties.
SB 1471 Hanger, Jr., E	Computation of composite index; land-use assessment value.

<u>SB 1476</u> Deeds, R	School bus video-monitoring systems; release of information by DMV.
<u>SB 1545</u> Sturtevant, Jr., G	Public schools; alternative accountability process.
<u>SB 1553</u> Surovell, S	Urban county executive form of government; abandoned shopping carts.
<u>SB 1576</u> Suetterlein, D	DOE; pilot program, placement transition of certain students.
<u>SB 1578</u> Suetterlein, D	Reckless driving; exceeding speed limit.
<u>SB 1622</u> McPike, J	Child day programs; lead testing, potable water, effective date.
<u>SB 1672</u> Locke, M	Absentee voting; no-excuse absentee.
<u>SB 1701</u> Ebbin, A	Short-term rentals; regulation, urban county executive form of government.
<u>SB 1708</u> Edwards, J	Law-Enforcement Officers Procedural Guarantee Act; hearing panel decisions.
<u>SB 1770</u> Deeds, R	Transportation funding; creates a statewide approach to funding.
<u>SB 1783</u> Boysko, J	Local employee grievance procedure; qualifying grievances by local government employees.
<u>SJ 284</u> Sturtevant, Jr., G	United States Constitution; ratifies Equal Rights Amendment.
<u>SJ 307</u> Lewis, Jr., L	JLARC; costs of education, report.

Fairfax County Initiatives

***Bills Introduced
at Fairfax County's Request***

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1913</u> - Bulova (37) Subdivision ordinance; sidewalks.</p>	<p>1/4/2019 House: Referred to Committee on Counties, Cities and Towns 1/23/2019 House: Subcommittee recommends reporting with amendment (6-Y 0-N) 1/25/2019 House: Reported from Counties, Cities and Towns with amendment (21-Y 0-N) 1/31/2019 House: Read third time and passed House (99-Y 0-N) 2/1/2019 Senate: Referred to Committee on Local Government 2/12/2019 Senate: Reported from Local Government (12-Y 0-N) 2/15/2019 Senate: Passed Senate with substitute (39-Y 0-N) 2/15/2019 Senate: Substitute by Senator Peake agreed to 2/19/2019 House: Senate substitute rejected by House (0-Y 99-N) 2/20/2019 Senate: Senate insisted on substitute (40-Y 0-N) 2/20/2019 Senate: Senate requested conference committee 2/21/2019 House: House acceded to request 2/21/2019 House: Conferees appointed by House: Delegates: Bulova, Marshall, Thomas 2/21/2019 Senate: Conferees appointed by Senate: Senators: Peake, DeSteph, Marsden 2/23/2019 Conference: Amended by conference committee 2/23/2019 Senate: Conference report agreed to by Senate (33-Y 7-N) 2/23/2019 House: Conference report agreed to by House (99-Y 0-N)</p>	<p>1/22/2019</p>

Initiate (19103330D) - See also SB 1663 (Barker).

Summary: Allows any locality to include provisions in its subdivision ordinance requiring that where a lot being subdivided or developed fronts on an existing street and the provision of a sidewalk, the need for which is substantially generated and reasonably required by the proposed development and, is in accordance with the locality's adopted comprehensive plan, the locality may require the dedication of land for, and construction of, a sidewalk on the property being subdivided or developed. This bill is identical to SB 1663.

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2578</u> - Plum (36) Secondary state highways; six-year plan, public meeting.</p>	<p>1/9/2019 House: Referred to Committee on Transportation 1/24/2019 House: Subcommittee recommends reporting (6-Y 0-N) 1/29/2019 House: Reported from Transportation (22-Y 0-N) 2/4/2019 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/4/2019 House: Reconsideration of passage agreed to by House 2/4/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 2/5/2019 Senate: Referred to Committee on Transportation 2/13/2019 Senate: Reported from Transportation (13-Y 0-N) 2/18/2019 Senate: Passed Senate (40-Y 0-N) 2/21/2019 House: Enrolled 2/21/2019 House: Signed by Speaker 2/21/2019 Senate: Signed by President 2/28/2019 House: Enrolled Bill communicated to Governor 2/28/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>1/22/2019</p>
<p>Initiate (19103260D) - See also SB 1684 (Petersen). Summary: Six-year plans for secondary state highways; public meeting. Limits the requirement that a governing body with a six-year plan for improving the secondary highway system advertise for and hold a public meeting regarding such plan to only those years in which the county has a proposed new funding allocation greater than \$100,000.</p>		
<p><u>SB 1663</u> - Barker (39) Subdivision ordinance; sidewalks.</p>	<p>1/10/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Reported from Local Government with amendment (10-Y 0-N) 2/4/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Counties, Cities and Towns 2/8/2019 House: Reported from Counties, Cities and Towns with amendments (22-Y 0-N) 2/11/2019 House: Passed House with amendments BLOCK VOTE (99-Y 0-N) 2/13/2019 Senate: House amendments agreed to by Senate (39-Y 0-N) 2/18/2019 Senate: Enrolled 2/18/2019 House: Signed by Speaker 2/19/2019 Senate: Signed by President 2/20/2019 Senate: Enrolled Bill Communicated to Governor on February 20, 2019 2/20/2019 Governor: Governor's Action Deadline Midnight, March 25, 2019</p>	<p>1/22/2019</p>
<p>Initiate (19104255D) - See also HB 1913 (Bulova). Summary: Allows any locality to include provisions in its subdivision ordinance requiring that where a lot being subdivided or developed fronts on an existing street and the provision of a sidewalk, the need for which is substantially generated and reasonably required by the proposed development and, is in accordance with the locality's adopted comprehensive plan, the locality may require the dedication of land for, and construction of, a sidewalk on the property being subdivided or developed. This bill is identical to HB 1913.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1684</u> - Petersen (34) Secondary state highways; six-year plan, public meeting.</p>	<p>1/14/2019 Senate: Referred to Committee on Transportation 1/23/2019 Senate: Reported from Transportation (13-Y 0-N) 1/29/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/4/2019 House: Referred to Committee on Transportation 2/7/2019 House: Reported from Transportation (22-Y 0-N) 2/11/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 2/12/2019 Senate: Enrolled 2/12/2019 House: Signed by Speaker 2/13/2019 Senate: Signed by President 2/14/2019 Senate: Enrolled Bill Communicated to Governor on February 14, 2019 2/14/2019 Governor: Governor's Action Deadline Midnight, February 21, 2019 2/21/2019 Governor: Approved by Governor-Chapter 81 (effective 7/1/19)</p>	<p>1/22/2019</p>
<p>Initiate (19104464D) - See also HB 2578 (Plum). Summary: Six-year plans for secondary state highways; public meeting. Limits the requirement that a governing body with a six-year plan for improving the secondary highway system advertise for and hold a public meeting regarding such plan to only those years in which the county has a proposed new funding allocation greater than \$100,000.</p>		

Fairfax County Positions
(Oppose or Amend)

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1655 - Miyares (82) Real property tax; exemption for disabled veterans, surviving spouse's ability to move.</p>	<p>11/29/2018 House: Referred to Committee on Finance 1/14/2019 House: Reported from Finance with substitute (22-Y 0-N) 1/18/2019 House: Read third time and passed House (94-Y 0-N) 1/21/2019 Senate: Referred to Committee on Finance 2/5/2019 Senate: Reported from Finance (13-Y 0-N) 2/7/2019 Senate: Passed Senate (40-Y 0-N) 2/11/2019 House: Enrolled 2/11/2019 House: Signed by Speaker 2/11/2019 Senate: Signed by President 2/12/2019 House: Enrolled Bill communicated to Governor 2/12/2019 Governor: Governor's Action Deadline Midnight, February 19, 2019 2/15/2019 Governor: Approved by Governor-Chapter 15 (effective 1/1/19)</p>	<p>1/22/2019</p>

Amend (19103726D-H1) - Amend to support as a state tax credit; Board has historically recommended amendment. See also SB 1270 (Stuart).

Summary: Real property tax exemption for disabled veterans; surviving spouses; ability to move to a different residence. Enacts as statutory law an amendment to subdivision (a) of Section 6-A of Article X of the Constitution of Virginia that was adopted by the voters on November 6, 2018, which applies the real property tax exemption for the surviving spouse of a disabled veteran to such spouse's principal place of residence regardless of whether such spouse moves to a different residence. The provisions of the bill would apply to taxable years beginning on and after January 1, 2019. The bill makes technical corrections related to the real property tax exemptions for surviving spouses of members of the armed forces killed in action and surviving spouses of certain persons killed in the line of duty. This bill is identical to SB 1270.

<p>HB 2034 - McGuire, III (56) Local electoral boards and general registrars; removal from office by circuit court, etc.</p>	<p>1/7/2019 House: Referred to Committee on Privileges and Elections (HPE) 1/17/2019 House: Subcommittee recommends reporting with substitute (4-Y 2-N) 1/25/2019 House: Reported from HPE with substitute (12-Y 10-N) 2/1/2019 House: Read third time and passed House (53-Y 42-N) 2/4/2019 Senate: Referred to Committee on Privileges and Elections 2/12/2019 Senate: Reported from Privileges and Elections with amendment (8-Y 6-N) 2/18/2019 Senate: Committee amendment agreed to 2/19/2019 Senate: Committee amendment reconsidered (40-Y 0-N) 2/19/2019 Senate: Committee amendment rejected 2/19/2019 Senate: Passed Senate (23-Y 17-N) 2/22/2019 House: Enrolled 2/22/2019 House: Signed by Speaker 2/22/2019 Senate: Signed by President</p>	<p>2/19/2019</p>
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Amend (19105130D-H1) - Amend to remove the requirement that the county or city attorney provide counsel for the local electoral board when the local electoral board initiates proceedings to remove a general registrar. **Summary:** General registrars; petition for removal. Provides for the removal of a general registrar by the circuit court upon a petition signed by a majority of members of the local electoral board. Currently, a local electoral board may remove a general registrar with a majority vote. The bill requires the Virginia Division of Risk Management to assign counsel to the defense of any member of a local electoral board or general registrar subject to a petition for removal, upon that member's or registrar's application.

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2686</u> - Knight (81) Zoning Appeals, Board of; changes vote requirement.</p>	<p>1/14/2019 House: Referred to Committee on Counties, Cities and Towns 1/30/2019 House: Subcommittee recommends reporting (7-Y 0-N) 2/1/2019 House: Reported from Counties, Cities and Towns (19-Y 2-N) 2/5/2019 House: Read third time and passed House (61-Y 38-N) 2/6/2019 Senate: Referred to Committee on Local Government 2/12/2019 Senate: Reported from Local Government (10-Y 1-N) 2/18/2019 Senate: Defeated by Senate (19-Y 21-N) 2/18/2019 Senate: Reconsideration of defeated action agreed to by Senate (40-Y 0-N) 2/18/2019 Senate: Passed Senate (22-Y 18-N) 2/21/2019 House: Enrolled 2/21/2019 House: Signed by Speaker 2/21/2019 Senate: Signed by President 2/28/2019 House: Enrolled Bill communicated to Governor 2/28/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>2/5/2019</p>
<p>Oppose (19103623D) Summary: Board of zoning appeals; vote requirement. Changes the vote requirement for certain board of zoning appeals decisions from a majority of the membership to a majority of the membership present and voting.</p>		
<p><u>HJ 615</u> - Cole (88) Constitutional amendment; Virginia Redistricting Commission (first reference).</p>	<p>1/1/2019 House: Referred to Committee on Privileges and Elections 1/28/2019 House: Subcommittee recommends reporting with substitute (5-Y 3-N) 2/1/2019 House: Reported from Privileges and Elections with substitute (12-Y 10-N) 2/4/2019 House: Agreed to by House (51-Y 48-N) 2/5/2019 Senate: Referred to Committee on Privileges and Elections 2/12/2019 Senate: Reported from Privileges and Elections with substitute (11-Y 0-N 1-A) 2/18/2019 Senate: Agreed to by Senate with substitute (40-Y 0-N) 2/19/2019 House: Senate substitute rejected by House (47-Y 52-N) 2/20/2019 Senate: Senate insisted on substitute (40-Y 0-N) 2/20/2019 Senate: Senate requested conference committee 2/21/2019 House: House acceded to request 2/21/2019 House: Conferees appointed by House: Delegates: Cole, Rush, Leftwich, Krizek 2/21/2019 Senate: Conferees appointed by Senate: Senators: Barker, Vogel, Cosgrove 2/23/2019 Conference: Amended by conference committee 2/23/2019 House: Conference report agreed to by House (83-Y 15-N) 2/23/2019 Senate: Conference report agreed to by Senate (40-Y 0-N)</p>	<p>2/19/2019</p>

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[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
	<p>Amend (19105844D-H1) - Amend to remove provisions pertaining to the local Independent Redistricting Commission, due to concerns that the bill would override the more robust process the County has used in the past. Summary: Establishes the Virginia Redistricting Commission, a 16-member Commission tasked with establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly. The Commission consists of eight legislative members and eight citizen members. The legislative members consist of four members of the Senate of Virginia and four members of the House of Delegates, with equal representation given to the political parties having the highest and next highest number of members in their respective houses. The citizen members are selected by a selection committee consisting of five retired judges of the circuit courts of Virginia. The selection committee is tasked with selecting eight citizen members from lists submitted to the Committee by the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House, the President pro tempore of the Senate of Virginia, and the leader in the Senate of the political party having the next highest number of members in the Senate. The Commission is required to submit to the General Assembly plans of districts for the Senate and the House of Delegates of the General Assembly no later than 45 days following the receipt of census data and plans of districts for the United States House of Representatives no later than 60 days following the receipt of census data. In order to be submitted to the General Assembly for a vote, a plan must receive an affirmative vote of at least six of the eight legislative members and six of the eight citizen members.</p>	
<p><u>SB 1038</u> - Peake (22) Voter registration; verification of social security numbers, provisional registration status.</p>	<p>11/15/2018 Senate: Referred to Committee on Privileges and Elections 1/15/2019 Senate: Reported from Privileges and Elections (9-Y 5-N) 1/15/2019 Senate: Re-referred to Finance 1/23/2019 Senate: Reported from Finance with amendment (11-Y 5-N) 1/28/2019 Senate: Read third time and passed Senate (20-Y 18-N) 1/30/2019 House: Referred to Committee on Privileges and Elections 2/12/2019 House: Subcommittee recommends reporting (4-Y 2-N) 2/12/2019 House: Subcommittee recommends referring to Committee on Appropriations (HAPP) 2/15/2019 House: Reported from Privileges and Elections (12-Y 10-N) 2/15/2019 House: Referred to HAPP 2/18/2019 House: Subcommittee recommends reporting (5-Y 1-N) 2/18/2019 House: Reported from HAPP with amendment (12-Y 10-N) 2/20/2019 House: Passed House with amendment (51-Y 49-N) 2/21/2019 Senate: House amendment rejected by Senate (3-Y 36-N) 2/21/2019 House: House insisted on amendment 2/21/2019 House: House requested conference committee 2/21/2019 Senate: Senate acceded to request (39-Y 0-N) 2/21/2019 Senate: Conferees appointed by Senate: Senators: Peake, Suetterlein, Spruill 2/21/2019 House: Conferees appointed by House: Delegates: Knight, Austin, Krizek 2/22/2019 Conference: Amended by conference committee 2/22/2019 House: Conference report agreed to by House (50-Y 49-N) 2/23/2019 Senate: Conference report rejected by Senate (19-Y 20-N) 2/23/2019 Senate: Reconsideration of conference report agreed to by Senate (39-Y 0-N) 2/23/2019 Senate: Conference report agreed to by Senate (20-Y 19-N)</p>	<p>1/22/2019</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
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Oppose (19100267D) - Board has historically opposed.
Summary: Voter registration; verification of social security numbers; provisional registration status. Requires the general registrars to verify that the name, date of birth, and social security number provided by an applicant on the voter registration application match the information on file in the Social Security Administration database or other database approved by the State Board of Elections (State Board) before registering such applicant. If the information provided by the applicant does not match the information in such a database, the applicant (i) is provisionally registered to vote and notified as to what steps are needed to be fully registered to vote and (ii) is permitted to vote by provisional ballot, but such ballot shall not be counted until the voter presents certain information. The bill also requires the general registrars to verify annually no later than August 1 that the name, date of birth, and social security number in the registration record of each registered voter in the registrar's jurisdiction match the information on file with the Social Security Administration or other database approved by the State Board and, in accordance with current law, to initiate the cancellation of the registration of any voter whose registration record information does not match the database information. The State Board is authorized to approve the use of any government database to the extent required to enable each general registrar to carry out the provisions of this measure and to promulgate rules for the use of such database. The Department of Elections is required to provide to the general registrars access to the Social Security Administration database and any other database approved by the State Board. The Department of Elections is further required to enter into any agreement with any federal or state agency to facilitate such access. The bill has a delayed effective date of July 1, 2021.

<p>SB 1270 - Stuart (28) Real property tax; exemption for disabled veterans, surviving spouse's ability to move.</p>	<p>1/7/2019 Senate: Referred to Committee on Finance 1/15/2019 Senate: Reported from Finance (16-Y 0-N) 1/18/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/22/2019 House: Referred to Committee on Finance 2/11/2019 House: Reported from Finance (21-Y 0-N) 2/13/2019 House: Passed House with amendment (97-Y 0-N) 2/15/2019 Senate: House amendment agreed to by Senate (39-Y 0-N) 2/20/2019 Senate: Enrolled 2/20/2019 Senate: Signed by President 2/20/2019 House: Signed by Speaker 2/27/2019 Senate: Enrolled Bill Communicated to Governor 2/27/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>1/22/2019</p>
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Amend (19101186D) - Amend to support as a state tax credit; Board has historically recommended amendment. See also HB 1655 (Miyares).
Summary: Real property tax exemption for disabled veterans; surviving spouses; ability to move to a different residence. Enacts as statutory law an amendment to subdivision (a) of Section 6-A of Article X of the Constitution of Virginia that was adopted by the voters on November 6, 2018, which applies the real property tax exemption for the surviving spouse of a disabled veteran to such spouse's principal place of residence regardless of whether such spouse moves to a different residence. The provisions of the bill would apply to taxable years beginning on and after January 1, 2019. The bill makes technical corrections related to the real property tax exemptions for surviving spouses of members of the armed forces killed in action and surviving spouses of certain persons killed in the line of duty. This bill is identical to HB 1655.

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1421</u> - Obenshain (26) Eminent domain; entry upon private property, calculation of just compensation, damages.</p>	<p>1/8/2019 Senate: Referred to Committee for Courts of Justice 1/14/2019 Senate: Reported from Courts of Justice (13-Y 0-N) 1/17/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/21/2019 House: Referred to Committee for Courts of Justice 2/11/2019 House: Subcommittee recommends reporting with amendments (8-Y 0-N) 2/15/2019 House: Reported from Courts of Justice with amendments (17-Y 0-N) 2/20/2019 House: Passed House with amendments (97-Y 2-N) 2/21/2019 Senate: House amendments agreed to by Senate (38-Y 0- N) 2/23/2019 Senate: Enrolled 2/23/2019 Senate: Signed by President 2/23/2019 House: Signed by Speaker</p>	<p>1/22/2019</p>

Oppose (19103612D)

Summary: Eminent domain; entry upon private property; calculation of just compensation; damages. Makes various changes to provisions related to entry upon private property in an eminent domain proceeding, including (i) requiring that the number of persons for whom permission to inspect the premises is sought be included in a request for permission to inspect private property for the purposes of a project wherein the power of eminent domain may be exercised; (ii) requiring the notice of intent to enter the property to include all of the information contained in the request for permission to inspect the property; (iii) requiring the court to award fees for up to three experts or as many experts as are called by the petitioner at trial, whichever is greater, if the petitioner damages the property during its entry; (iv) removing the requirement that the damage must be done maliciously, willfully, or recklessly for the owner to be reimbursed for his costs; and (v) removing the option that the owner may be reimbursed for his costs if the court awards the owner actual damages in an amount 30 percent or more greater than the petitioner's final written offer made no later than 30 days after the filing of an answer in circuit court or the return date in general district court.

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Fairfax County Positions
(Support)

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1698</u> - Fariss (59) Zoning Appeals, Board of; written order, certified mail.</p>	<p>12/11/2018 House: Referred to Committee on Counties, Cities and Towns 1/16/2019 House: Subcommittee recommends reporting (6-Y 0-N) 1/18/2019 House: Reported from Counties, Cities and Towns (20-Y 0-N) 1/24/2019 House: Read third time and passed House BLOCK VOTE (96-Y 0-N) 1/24/2019 House: Reconsideration of passage agreed to by House 1/24/2019 House: Passed House BLOCK VOTE (97-Y 0-N) 1/25/2019 Senate: Referred to Committee on Local Government 2/12/2019 Senate: Reported from Local Government (12-Y 0-N) 2/15/2019 Senate: Passed Senate (39-Y 0-N) 2/20/2019 House: Enrolled 2/20/2019 House: Signed by Speaker 2/20/2019 Senate: Signed by President 2/27/2019 House: Enrolled Bill communicated to Governor 2/27/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>1/22/2019</p>
<p>Support (19102389D) Summary: Board of Zoning Appeals; written order; certified mail. Authorizes a locality to send a zoning administrator's appeal order using certified mail. Current law allows such an order to be sent only by registered mail.</p>		
<p><u>HB 1743</u> - Bulova (37) Pharmacist; counseling for new prescriptions, disposal of medicine.</p>	<p>12/20/2018 House: Referred to Committee on Health, Welfare and Institutions 1/17/2019 House: Subcommittee recommends reporting (10-Y 0-N) 1/22/2019 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 1/28/2019 House: Read third time and passed House (99-Y 0-N) 1/29/2019 Senate: Referred to Committee on Education and Health 2/7/2019 Senate: Reported from Education and Health (15-Y 0-N) 2/11/2019 Senate: Passed Senate (40-Y 0-N) 2/13/2019 House: Enrolled 2/13/2019 House: Signed by Speaker 2/14/2019 Senate: Signed by President 2/15/2019 House: Enrolled Bill communicated to Governor 2/15/2019 Governor: Governor's Action Deadline Midnight, February 22, 2019 2/22/2019 Governor: Approved by Governor-Chapter 135 (effective 7/1/19)</p>	<p>2/5/2019</p>
<p>Support (19101425D) - See also SB 1405 (Dance). Summary: Pharmacist; counseling for new prescriptions; disposal of medicine. Allows a pharmacist to include information regarding the proper disposal of medicine when giving counsel to a person who presents a new prescription for filling. This bill is identical to SB 1405.</p>		

Bold – Indicates BOS formal action
[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1772</u> - Mullin (93) Virginia Freedom of Information Advisory Council; advisory opinions, evidence in civil proceeding.</p>	<p>12/26/2018 House: Referred to Committee on General Laws 1/15/2019 House: Subcommittee recommends reporting (8-Y 0-N) 1/17/2019 House: Reported from General Laws (22-Y 0-N) 1/17/2019 House: Referred to Committee for Courts of Justice 1/23/2019 House: Subcommittee recommends reporting (6-Y 0-N) 1/25/2019 House: Reported from Courts of Justice (17-Y 0-N) 1/31/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/1/2019 Senate: Referred to Committee on Rules 2/18/2019 Senate: Reported from Rules (15-Y 0-N) 2/20/2019 Senate: Passed Senate (40-Y 0-N) 2/22/2019 House: Signed by Speaker 2/22/2019 Senate: Signed by President</p>	<p>1/22/2019</p>
<p>Support (19100432D) Summary: Virginia Freedom of Information Advisory Council; advisory opinions; evidence in civil proceeding. Provides that any officer, employee, or member of a public body alleged to have willfully and knowingly violated the Virginia Freedom of Information Act who acted in good faith reliance upon an advisory opinion issued by the Virginia Freedom of Information Advisory Council may introduce such advisory opinion as evidence that the alleged violation was not made willfully and knowingly. The bill contains technical amendments. This bill is a recommendation of the Virginia Freedom of Information Advisory Council.</p>		
<p><u>HB 1822</u> - Bulova (37) Virginia Water Quality Improvement Fund; grant for wastewater conveyance facility, etc.</p>	<p>1/1/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/16/2019 House: Subcommittee recommends reporting with amendment (9-Y 1-N) 1/16/2019 House: Subcommittee recommends referring to Committee on Appropriations 1/16/2019 House: Reported from Agriculture, Chesapeake and Natural Resources with amendment (22-Y 0-N) 1/16/2019 House: Referred to Committee on Appropriations 1/23/2019 House: Subcommittee recommends reporting (7-Y 0-N) 1/30/2019 House: Reported from Appropriations (22-Y 0-N) 2/5/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/6/2019 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/14/2019 Senate: Reported from Agriculture, Conservation and Natural Resources (14-Y 0-N) 2/19/2019 Senate: Passed Senate (40-Y 0-N) 2/22/2019 House: Enrolled 2/22/2019 House: Signed by Speaker 2/22/2019 Senate: Signed by President</p>	<p>1/22/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
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Support (19103598D)
Summary: Virginia Water Quality Improvement Fund; grant for wastewater conveyance facility; estimates of future funding requests; Stormwater Local Assistance Fund. Authorizes the Director of the Department of Environmental Quality (the Department) to authorize grants from the Virginia Water Quality Improvement Fund (the Fund) for the installation of certain wastewater conveyance infrastructure. Any such infrastructure shall (i) divert wastewater from one publicly owned treatment works that is eligible for grant funding to another such eligible treatment works; (ii) divert wastewater to a receiving treatment works that is capable of achieving compliance with its nutrient reduction or ammonia control discharge requirements and that results in a net reduction in total phosphorus, total nitrogen, or nitrogen-containing ammonia discharges; and (iii) result in no more expense to the Fund than would otherwise be incurred to install eligible nutrient removal technology or other treatment technology at the treatment works from which the wastewater will be diverted.

<p>HB 1870 - Sickles (43) Certificate of public need; nursing homes and hospitals, disaster exemption.</p>	<p>1/3/2019 House: Referred to Committee on Health, Welfare and Institutions 1/24/2019 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 1/30/2019 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 1/30/2019 House: Reconsideration of passage agreed to by House 1/30/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 1/31/2019 Senate: Referred to Committee on Education and Health 2/7/2019 Senate: Reported from Education and Health (15-Y 0-N) 2/11/2019 Senate: Passed Senate (40-Y 0-N) 2/13/2019 House: Enrolled 2/13/2019 House: Signed by Speaker 2/14/2019 Senate: Signed by President 2/15/2019 House: Enrolled Bill communicated to Governor 2/15/2019 Governor: Governor's Action Deadline Midnight, February 22, 2019 2/22/2019 Governor: Approved by Governor-Chapter 136 (effective 7/1/19)</p>	<p>1/22/2019</p>
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Support (19101516D) - See also HB 2451 (Bell, Richard P.) and SB 1277 (Barker).
Summary: Certificate of public need; hospitals and nursing homes; disaster exemption; regulations. Provides for a 30-day exemption from the requirement to obtain a certificate of public need for an increase in the total number of beds in existing hospitals or nursing homes if the State Health Commissioner has determined that a natural or man-made disaster has caused the evacuation of a hospital or nursing home and that a public health emergency exists due to a shortage of hospital or nursing home beds. The Board of Health shall adopt regulations for this exemption. This bill is identical to SB 1277.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1871</u> - Jones (89) Virginia Initiative for Employment Not Welfare (VIEW); transitional child care.</p>	<p>1/3/2019 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/17/2019 House: Subcommittee recommends reporting (10-Y 0-N) 1/17/2019 House: Subcommittee recommends referring to Committee on Appropriations 1/22/2019 House: Reported from HHWI (21-Y 0-N) 1/22/2019 House: Referred to Committee on Appropriations 1/28/2019 House: Subcommittee recommends reporting (8-Y 0-N) 1/30/2019 House: Reported from Appropriations (22-Y 0-N) 2/5/2019 House: Read third time and passed House (86-Y 11-N) 2/6/2019 Senate: Referred to Committee on Rehabilitation and Social Services 2/8/2019 Senate: Reported from Rehabilitation and Social Services (14-Y 1-N) 2/12/2019 Senate: Passed Senate (38-Y 1-N) 2/14/2019 House: Enrolled 2/14/2019 House: Signed by Speaker 2/14/2019 Senate: Signed by President 2/18/2019 House: Enrolled Bill communicated to Governor 2/18/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>1/22/2019</p>
<p>Support (19101902D) Summary: Allows VIEW participants whose Temporary Assistance for Needy Families financial assistance is terminated to receive child care assistance for up to 12 months after termination if the individual is enrolled in an accredited public institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education for Virginia and is taking courses as part of a curriculum that leads to a postsecondary credential, such as a degree or an industry-recognized credential, certification, or license. Under current law, such child care assistance is only available if it enables the individual to work. This bill is identical to SB 1145.</p>		
<p><u>HB 1914</u> - Herring (46) Public health practitioners; requirements for issuing prescriptions, exceptions.</p>	<p>1/4/2019 House: Referred to Committee on Health, Welfare and Institutions 1/17/2019 House: Subcommittee recommends reporting (10-Y 0-N) 1/22/2019 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 1/28/2019 House: Read third time and passed House (99-Y 0-N) 1/29/2019 Senate: Referred to Committee on Education and Health 2/14/2019 Senate: Reported from Education and Health (15-Y 0-N) 2/18/2019 Senate: Passed Senate (40-Y 0-N) 2/21/2019 House: Enrolled 2/21/2019 House: Signed by Speaker 2/21/2019 Senate: Signed by President 2/28/2019 House: Enrolled Bill communicated to Governor 2/28/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>1/22/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
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Support (19101794D)
Summary: Requirements for issuing prescriptions; exceptions for public health practitioners. Authorizes practitioners contracted by the Department of Health and practitioners employed or contracted by a local health department to prescribe antibiotic therapy to the sexual partner of a patient diagnosed with a sexually transmitted disease without the physical examination normally required. Under current law, only employees of the Department of Health are so authorized. Additionally, the bill authorizes a practitioner, who is an employee of or contracted by the Department of Health or a local health department, to prescribe Schedule VI antibiotics and antiviral agents to other persons in close contact with a diagnosed patient without a bona-fide practitioner-patient relationship with the diagnosed patient when emergency treatment is necessary to prevent imminent risk of death, life-threatening illness, or serious disability.

<p>HB 2017 - Peace (97) Auxiliary grants; supportive housing.</p>	<p>1/7/2019 House: Referred to Committee on Health, Welfare and Institutions 1/15/2019 House: Subcommittee recommends reporting (10-Y 0-N) 1/17/2019 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 1/21/2019 House: Referred to Committee on Appropriations 1/28/2019 House: Subcommittee recommends reporting with amendment (8-Y 0-N) 1/30/2019 House: Reported from Appropriations with amendment (22-Y 0-N) 2/5/2019 House: Read third time and passed House (99-Y 0-N) 2/6/2019 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 2/8/2019 Senate: Reported from SRSS (15-Y 0-N) 2/12/2019 Senate: Passed Senate with amendment (40-Y 0-N) 2/14/2019 House: Senate amendment rejected by House (1-Y 97-N) 2/18/2019 Senate: Senate insisted on amendment (40-Y 0-N) 2/18/2019 Senate: Senate requested conference committee 2/19/2019 House: House acceded to request 2/19/2019 House: Conferees appointed by House: Delegates: Peace, Orrock, Aird 2/20/2019 Senate: Conferees appointed by Senate: Senators: Barker, Cosgrove, Chafin 2/21/2019 Conference: Amended by conference committee 2/21/2019 House: Conference report agreed to by House (99-Y 0-N) 2/22/2019 Senate: Conference report agreed to by Senate (39-Y 0-N)</p>	<p>1/22/2019</p>
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Support (19102319D)
Summary: Allows individuals receiving auxiliary grants to select supportive housing without any requirement that such individuals wait until their first or any subsequent annual reassessment to make such selection. The bill directs the Commissioner for Aging and Rehabilitative Services to (i) promulgate regulations to implement the provisions of the bill within 180 days of its enactment and (ii) develop guidance documents for implementation of the provisions of the bill no later than February 1, 2020. The bill establishes that the number of auxiliary grant recipients in the supportive housing setting shall not exceed 60.

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2019 - Murphy (34) Residential real property; required disclosures of stormwater management facilities.</p>	<p>1/7/2019 House: Referred to Committee on General Laws (HGL) 1/29/2019 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 1/31/2019 House: Reported from HGL with substitute (21-Y 0-N) 2/5/2019 House: Read third time and passed House (99-Y 0-N) 2/6/2019 Senate: Referred to Committee on General Laws and Technology (SGL) 2/18/2019 Senate: Reported from SGL (15-Y 0-N) 2/20/2019 Senate: Passed Senate (40-Y 0-N) 2/22/2019 House: Signed by Speaker 2/22/2019 Senate: Signed by President</p>	<p>1/22/2019</p>
<p>Support (19101112D) Summary: Residential real property; required disclosures; stormwater management facilities. Provides that the owner of residential real property under the Virginia Residential Property Disclosure Act must include in the residential property disclosure statement provided to a potential purchaser of residential property a statement that the owner makes no representations with respect to the existence or recordation of any maintenance agreement for any stormwater detention facilities on the property, and that advises the potential purchaser to take whatever due diligence steps they deem necessary to determine the presence of any such facilities or agreements, such as contacting his settlement provider, consulting the locality in which the property is located, or reviewing any survey of the property that may have been conducted. The bill also requires the Common Interest Community Board to include notice that regular annual or special assessments paid by the owner to the association may be used for the construction or maintenance of stormwater management facilities in the form that accompanies association disclosure packets that are required to be provided to all prospective purchasers of lots located within a development that is subject to the Virginia Property Owners' Association Act and resale certificates provided to purchasers of units located in a condominium that is subject to the Condominium Act.</p>		
<p>HB 2033 - Murphy (34) Turns into or out of certain residential areas; resident permits.</p>	<p>1/7/2019 House: Referred to Committee on Counties, Cities and Towns (HCCT) 1/30/2019 House: Subcommittee recommends reporting (8-Y 0-N) 2/1/2019 House: Reported from HCCT (22-Y 0-N) 2/5/2019 House: Read third time and passed House (99-Y 0-N) 2/6/2019 Senate: Referred to Committee on Local Government 2/12/2019 Senate: Reported from Local Government (11-Y 1-N) 2/15/2019 Senate: Passed Senate (32-Y 7-N) 2/20/2019 House: Enrolled 2/20/2019 House: Signed by Speaker 2/20/2019 Senate: Signed by President 2/27/2019 House: Enrolled Bill communicated to Governor 2/27/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>1/22/2019</p>
<p>Support (19101114D) - Board has historically supported. Summary: Allows counties that operate under the urban county executive form of government (Fairfax County) by ordinance to develop a program to issue permits or stickers to residents of a designated area that will allow such residents to make turns into or out of the designated area during certain times of day where such turns would otherwise be restricted.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2158</u> - Plum (36) Naloxone; expands list of individuals who may dispense.</p>	<p>1/8/2019 House: Referred to Committee on Health, Welfare and Institutions 1/23/2019 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 1/29/2019 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 2/4/2019 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/4/2019 House: Reconsideration of passage agreed to by House 2/4/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 2/5/2019 Senate: Referred to Committee on Education and Health 2/7/2019 Senate: Reported from Education and Health (15-Y 0-N) 2/11/2019 Senate: Passed Senate (40-Y 0-N) 2/14/2019 House: Enrolled 2/14/2019 House: Signed by Speaker 2/15/2019 Senate: Signed by President 2/18/2019 House: Enrolled Bill communicated to Governor 2/18/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>2/5/2019</p>
<p>Support (19104132D) Summary: Expands the list of individuals who may dispense naloxone pursuant to a standing order to include health care providers providing services in hospital emergency departments and emergency medical services personnel and eliminates certain requirements. The bill establishes requirements for the dispensing of naloxone in an injectable formulation with a hypodermic needle or syringe. The bill also allows a person who dispenses naloxone on behalf of an organization to charge a fee for the dispensing of naloxone, provided that the fee is no greater than the cost to the organization of obtaining the naloxone dispensed.</p>		
<p><u>HB 2342</u> - Thomas, Jr. (28) Conditional rezoning proffers; extensive changes to conditional zoning provisions.</p>	<p>1/8/2019 House: Referred to Committee on Counties, Cities and Towns 1/16/2019 House: Subcommittee recommends reporting with substitute (6-Y 1-N) 1/18/2019 House: Reported from Counties, Cities and Towns with substitute (18-Y 2-N) 1/24/2019 House: Read third time and passed House (90-Y 7-N) 1/25/2019 Senate: Referred to Committee on Local Government 2/12/2019 Senate: Reported from Local Government (11-Y 1-N) 2/15/2019 Senate: Passed Senate (28-Y 10-N 1-A) 2/20/2019 House: Enrolled 2/20/2019 House: Signed by Speaker 2/20/2019 Senate: Signed by President 2/27/2019 House: Enrolled Bill communicated to Governor on February 27, 2019 2/27/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>1/22/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
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Support (19104992D-H1) - See also SB 1373 (Favola).
Summary: Conditional rezoning proffers. Makes extensive changes to conditional zoning provisions first enacted in 2016. Specific amendments include the addition of provisions stating that no local governing body shall require any unreasonable proffer, as described in current law. Under current law, no locality may request or accept any unreasonable proffer. Other changes (i) allow an applicant to submit any onsite or offsite proffer that the applicant deems reasonable and appropriate, as conclusively evidenced by the signed proffers, and (ii) state that nothing in the bill shall be deemed or interpreted to prohibit communications between an applicant or owner and the locality or to prohibit presentation, analysis, or discussion of the potential impacts of new residential development or other new residential use on the locality's public facilities. The provisions of the bill are effective as to any application for a rezoning filed on or after July 1, 2019, or for a proffer condition amendment amending a rezoning that was filed on or after July 1, 2019, or to certain other pending applications. The bill also provides that an applicant with a pending rezoning application for a rezoning or proffer condition amendment that was filed prior to July 1, 2016, may continue to proceed under the law as it existed prior to that date, and an applicant with a pending rezoning application filed on or after July 1, 2016, but before July 1, 2019, or proffer condition amendment application amending a rezoning for which the application was filed on or after July 1, 2016, but before July 1, 2019, may continue to proceed under the law as it existed during that period. This bill is identical to SB 1373.

<p>HB 2344 - Bell (58) Motor Vehicles, Department of; records released to certain private vendors.</p>	<p>1/8/2019 House: Referred to Committee for Courts of Justice 1/23/2019 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 1/25/2019 House: Reported from Courts of Justice with substitute (16-Y 0-N) 1/31/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/1/2019 Senate: Referred to Committee on Transportation 2/13/2019 Senate: Reported from Transportation with amendments (13-Y 0-N) 2/18/2019 Senate: Passed Senate with amendments (40-Y 0-N) 2/19/2019 House: Senate amendments agreed to by House (96-Y 0-N) 2/22/2019 House: Enrolled 2/22/2019 House: Signed by Speaker 2/22/2019 Senate: Signed by President</p>	<p>1/22/2019</p>
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Support (19102619D)
Summary: Department of Motor Vehicle records; certain private vendors; penalty. Requires the Department of Motor Vehicles to release certain vehicle owner data, upon request, to a private vendor operating a video-monitoring system on or in a school bus. The bill limits how such data can be used and stored and provides that any person who unlawfully discloses such data is subject to a civil penalty of \$1,000 for each disclosure. The bill provides that drivers required to stop for a stopped school bus shall remain stopped until the school bus is put in motion. This bill is identical to SB 1520.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2528</u> - Hugo (40) Felony homicide; certain drug offenses, penalty.</p>	<p>1/9/2019 House: Referred to Committee for Courts of Justice 1/30/2019 House: Subcommittee recommends reporting (8-Y 0-N) 2/1/2019 House: Reported from Courts of Justice (14-Y 4-N) 2/5/2019 House: Read third time and passed House (75-Y 24-N) 2/6/2019 Senate: Referred to Committee for Courts of Justice 2/11/2019 Senate: Reported from Courts of Justice with substitute (15-Y 0-N) 2/11/2019 Senate: Re-referred to Finance 2/18/2019 Senate: Reported from Finance with substitute (15-Y 0-N) 2/21/2019 Senate: Committee substitute rejected 19106811D-S1 2/21/2019 Senate: Committee substitute agreed to 19107357D-S2 2/21/2019 Senate: Amendments by Senator Obenshain agreed to 2/21/2019 Senate: Passed Senate with substitute with amendments (40-Y 0-N) 2/21/2019 House: Senate substitute with amendments agreed to by House (69-Y 30-N) 2/23/2019 House: Enrolled 2/23/2019 House: Signed by Speaker 2/23/2019 Senate: Signed by President</p>	<p>2/5/2019</p>
<p>Support (19101005D) - Board has historically supported. Summary: Felony homicide; certain drug offenses; penalty. Provides that a person is guilty of felony homicide, which constitutes second degree murder and is punishable by confinement of not less than five nor more than 40 years, if the underlying felonious act that resulted in the killing of another involved the manufacture, sale, gift, or distribution of a Schedule I or II controlled substance to another and (i) such other person's death results from his use of the controlled substance and (ii) the controlled substance is the proximate cause of his death. The bill provides that venue for a prosecution of this crime shall lie in the locality where the underlying felony occurred, where the use of the controlled substance occurred, or where death occurred. The bill also provides that if a person gave or distributed a Schedule I or II only as an accommodation to another individual who is not an inmate in a community correctional facility, local correctional facility, or state correctional facility, or in the custody of an employee thereof, and not with intent to profit thereby from any consideration received or expected nor to induce the recipient of the controlled substance to use or become addicted to or dependent upon such controlled substance, he is guilty of a Class 5 felony.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2553</u> - Thomas, Jr. (28) Mass transit providers; supplemental operating funds.</p>	<p>1/9/2019 House: Referred to Committee on Rules 1/18/2019 House: Referred from Rules by voice vote 1/18/2019 House: Referred to Committee on Appropriations (HAPP) 1/28/2019 House: Subcommittee recommends reporting with amendment (8-Y 0-N) 1/30/2019 House: Reported from HAPP with amendment (22-Y 0-N) 2/5/2019 House: Read third time and passed House (99-Y 0-N) 2/6/2019 Senate: Referred to Committee on Transportation (STRAN) 2/13/2019 Senate: Reported from STRAN with substitute (13-Y 0-N) 2/13/2019 Senate: Re-referred to Finance 2/18/2019 Senate: Reported from Finance (16-Y 0-N) 2/20/2019 Senate: Passed Senate with substitute (40-Y 0-N) 2/21/2019 House: Senate substitute agreed to by House (98-Y 1-N) 2/21/2019 House: Reconsideration of Senate substitute agreed to by House 2/21/2019 House: Senate substitute agreed to by House (98-Y 0-N) 2/23/2019 House: Enrolled 2/23/2019 House: Signed by Speaker 2/23/2019 Senate: Signed by President</p>	<p>1/22/2019</p>
<p>Support (19104021D) - See also SB 1680 (Mason). Summary: Mass transit providers; loss of certain operating funds. Provides that any mass transit provider that receives funds from the Commonwealth Mass Transit Fund and that incurs a loss in operating funds as a direct result of the performance-based allocation process set forth in Chapter 854 of the Acts of Assembly of 2018 shall be eligible for supplemental funds. The total amount of supplemental funds available shall not exceed \$3 million.</p>		
<p><u>HB 2560</u> - Pillion (4) Protective services; adult abuse and exploitation, multidisciplinary teams.</p>	<p>1/9/2019 House: Referred to Committee on Health, Welfare and Institutions 1/23/2019 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 1/29/2019 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 2/4/2019 House: Read third time and passed House (97-Y 0-N) 2/4/2019 House: Reconsideration of passage agreed to by House 2/4/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 2/5/2019 Senate: Referred to Committee on Rehabilitation and Social Services 2/8/2019 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N) 2/12/2019 Senate: Passed Senate (40-Y 0-N) 2/14/2019 House: Enrolled 2/14/2019 House: Signed by Speaker 2/14/2019 Senate: Signed by President 2/18/2019 House: Enrolled Bill communicated to Governor 2/18/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>2/19/2019</p>

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Support (19105283D-H1)
Summary: Authorizes local departments of social services to foster, when practicable, the creation, maintenance, and coordination of hospital and community-based multidisciplinary teams focused on the abuse, neglect, and exploitation of adults 60 years of age or older or 18 years of age or older who are physically or mentally incapacitated. The bill provides that such teams may: (i) assist the local department of social services in identifying abused, neglected, and exploited adults; (ii) coordinate medical, social, and legal services for abused, neglected, and exploited adults and their families; (iii) develop innovative programs for detection and prevention of the abuse, neglect, and exploitation of adults; (iv) promote community awareness and action to address adult abuse, neglect, and exploitation; and (v) disseminate information to the general public regarding the problem of adult abuse, neglect, and exploitation, strategies and methods for preventing such abuse, neglect, and exploitation, and treatment options for abused, neglected, and exploited adults. The bill also allows the attorney for the Commonwealth in each jurisdiction to establish a multidisciplinary adult abuse, neglect, and exploitation response team to review cases of abuse, neglect, and exploitation of adults. Such multidisciplinary team may be established separately or in conjunction with any already existing multidisciplinary team. This bill is identical to SB 1224.

<p>HB 2752 - Pillion (4) Motorized skateboards or scooters; clarifies definition, local authority.</p>	<p>1/17/2019 House: Referred to Committee on Transportation 1/22/2019 House: Subcommittee recommends reporting with substitute (7-Y 3-N) 1/29/2019 House: Reported from Transportation with substitute (22-Y 0-N) 2/4/2019 House: Read third time and passed House (97-Y 0-N) 2/4/2019 House: Reconsideration of passage agreed to by House 2/4/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 2/5/2019 Senate: Referred to Committee on Transportation 2/13/2019 Senate: Reported from Transportation (11-Y 0-N) 2/18/2019 Senate: Passed Senate (40-Y 0-N) 2/21/2019 House: Enrolled 2/21/2019 House: Signed by Speaker 2/21/2019 Senate: Signed by President 2/28/2019 House: Enrolled Bill communicated to Governor 2/28/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>2/5/2019</p>
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Support (19105484D)
Summary: Motorized skateboards or scooters; operation; local authority. Authorizes localities to regulate the operation of companies providing motorized skateboards or scooters for hire. The bill changes the definition of motorized skateboard or scooter by (i) removing the requirement that such device have no seat and requiring that the device be designed to allow a person to stand or sit, (ii) removing the maximum power limits for such device and providing that the device may be powered in whole or in part by an electric motor, (iii) providing that the device has a speed of no more than 20 miles per hour, and (iv) providing that such device weighs less than 100 pounds. The bill makes consistent the operational requirements for motorized skateboards or scooters and similar devices, including (a) allowing motorized skateboards and scooters to be driven on sidewalks, (b) requiring motorized skateboards and scooters driven on a roadway to be driven as close to the right curb as is safely practicable, (c) prohibiting the operation of motorized skateboards or scooters on any Interstate Highway System component, and (d) requiring operators of motorized skateboards and scooters to give hand signals and have lights on such device. The bill prohibits operating a motorized skateboard or scooter at a speed faster than 20 miles per hour. Certain provisions of this bill have a delayed effective date of January 1, 2020.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2790</u> - Rush (7) Absentee voting; no-excuse in-person available beginning on 2nd Sat. immediately preceding election.</p>	<p>1/18/2019 House: Referred to Committee on Privileges and Elections 1/29/2019 House: Subcommittee recommends reporting (6-Y 0-N) 2/1/2019 House: Reported from Privileges and Elections with amendment (20-Y 2-N) 2/5/2019 House: Read third time and passed House (89-Y 10-N) 2/6/2019 Senate: Referred to Committee on Privileges and Elections 2/12/2019 Senate: Reported from Privileges and Elections with amendments (12-Y 2-N) 2/12/2019 Senate: Re-referred to Finance 2/18/2019 Senate: Reported from Finance (12-Y 4-N) 2/21/2019 Senate: Passed Senate with amendments (34-Y 6-N) 2/21/2019 House: Senate amendments agreed to by House (90-Y 9-N) 2/23/2019 House: Enrolled 2/23/2019 House: Signed by Speaker 2/23/2019 Senate: Signed by President</p>	<p>2/19/2019 [2/8/2019]</p>

Support (HB2790ER) - Support allowing time for the Department of Elections and stakeholders to prepare to implement the bill for the November 3, 2020, general election. [~~Support with Amendment~~] (19102828D E) - ~~Support with amendment to allow time for the Department of Elections and stakeholders to prepare to implement the bill for the November 3, 2020, general election.~~

Summary: Absentee voting; no-excuse in-person available beginning on second Saturday immediately preceding election. Allows for any registered voter to vote by absentee ballot in person beginning on the second Saturday immediately preceding any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill makes absentee voting in person available beginning on the forty-fifth day prior to the election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting an absentee ballot by mail or in person prior to the second Saturday immediately preceding the election, including the application requirement and the list of statutory reasons for absentee voting. The provisions of the bill do not become effective until the November 3, 2020, general election, and the State Board of Elections is required to submit a report on the procedures and instructions it promulgates for conducting absentee voting pursuant to the provisions of the bill.

Bills	General Assembly Actions	Date of BOS Position
<p>HB 2792 - Tran (42) Electric utilities; municipal net energy metering.</p>	<p>1/18/2019 House: Referred to Committee on Commerce and Labor 1/24/2019 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 1/31/2019 House: Reported from Commerce and Labor with substitute (19-Y 2-N) 2/5/2019 House: Read third time and passed House (78-Y 21-N) 2/6/2019 Senate: Referred to Committee on Commerce and Labor 2/11/2019 Senate: Reported from Commerce and Labor (13-Y 0-N) 2/14/2019 Senate: Passed Senate (39-Y 1-N) 2/19/2019 House: Enrolled 2/19/2019 House: Signed by Speaker 2/20/2019 Senate: Signed by President 2/21/2019 House: Enrolled Bill communicated to Governor 2/21/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>2/5/2019</p>

Support with Amendment (19104713D) - Support with amendment to allow the use of power purchase agreements in the pilot program, which is essential for Fairfax County to pursue net metering projects.

Summary: Directs the State Corporation Commission to establish a pilot program that affords the opportunity for any locality to participate in net energy metering if it is a retail customer of a certain type of investor-owned electric utility. In order to qualify for the program, the locality is required to own and operate a renewable generating facility with a generating capacity of not more than two megawatts that is located on the municipality's premises and is intended primarily to offset all or part of the locality's own electricity requirements. Under the pilot program, a municipal customer-generator that generates electricity in amounts that exceed the amount of electricity consumed by the municipal customer-generator, determined annually, to credit one or more of the municipality's target metered accounts in order that the generation energy charges on the electric bills of the target's metered accounts are reduced by the amount of excess generation kilowatt hours apportioned to the metered account multiplied by the applicable generation energy rate of the target's accounts. In Appalachian Power's service territory, metered accounts of the public school division of a locality may be target accounts. The amount of generating capacity of all generating facilities that are the subject of a pilot program are limited to (i) five megawatts if Appalachian Power is the pilot program utility, though the utility may increase the amount to up to 10 megawatts or (ii) 25 megawatts if Dominion Power is the pilot program utility. Such aggregated capacities of the generation facilities that are the subject of a pilot program constitute a portion of the existing limit of the utility's adjusted Virginia peak-load forecast of the previous year that is available to municipal customer-generators, eligible customer-generators, eligible agricultural customer-generators, and small agricultural generators in the utility's service area. The duration of the pilot program is six years. This bill is identical to SB 1779.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2805</u> - LaRock (33) Parking; access aisles adjacent to parking spaces reserved for persons with disabilities.</p>	<p>1/18/2019 House: Referred to Committee on Transportation 1/29/2019 House: Subcommittee recommends reporting (10-Y 0-N) 1/31/2019 House: Reported from Transportation (22-Y 0-N) 2/5/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/6/2019 Senate: Referred to Committee on Transportation 2/13/2019 Senate: Reported from Transportation (11-Y 0-N) 2/18/2019 Senate: Passed Senate (40-Y 0-N) 2/21/2019 House: Enrolled 2/21/2019 House: Signed by Speaker 2/21/2019 Senate: Signed by President 2/28/2019 House: Enrolled Bill communicated to Governor 2/28/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>2/19/2019</p>
<p>Support (19103221D) Summary: Prohibits parking any vehicle in any striped access aisle adjacent to a parking space reserved for persons with disabilities.</p>		
<p><u>SB 1026</u> - Spruill, Sr. (5) Absentee voting; no-excuse absentee.</p>	<p>10/17/2018 Senate: Referred to Committee on Privileges and Elections 1/29/2019 Senate: Incorporates SB 1035 (Locke), SB 1075 (Howell), and SB 1198 (Dance) 1/29/2019 Senate: Reported from Privileges and Elections with substitute (14-Y 0-N) 2/4/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Privileges and Elections 2/12/2019 House: Subcommittee recommends reporting (6-Y 0-N) 2/15/2019 House: Reported from Privileges and Elections with amendments (18-Y 4-N) 2/19/2019 House: Passed House with amendments (89-Y 10-N) 2/20/2019 Senate: House amendments agreed to by Senate (38-Y 1-N) 2/20/2019 Senate: Reconsideration of House amendments agreed to by Senate (40-Y 0-N) 2/21/2019 Senate: House amendments agreed to by Senate (37-Y 3-N) 2/23/2019 Senate: Enrolled 2/23/2019 Senate: Signed by President 2/23/2019 House: Signed by Speaker</p>	<p>2/19/2019 1/22/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (19106127D-S1) - Support allowing time for the Department of Elections and stakeholders to prepare to implement the bill for the November 3, 2020, general election. Support (19100137D) — Board has historically supported. See also HB 1641 (Herring), SB 1035 (Locke), and SB 1672 (Locke).</p> <p>Summary: Absentee voting; no-excuse in-person available beginning on second Saturday immediately preceding election. Allows for any registered voter to vote by absentee ballot in person beginning on the second Saturday immediately preceding any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill makes absentee voting in person available beginning on the forty-fifth day prior to the election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting an absentee ballot by mail or in person prior to the second Saturday immediately preceding the election, including the application requirement and the list of statutory reasons for absentee voting. The provisions of the bill do not become effective until the November 3, 2020, general election, and the State Board of Elections is required to submit a report on the procedures and instructions it promulgates for conducting absentee voting pursuant to the provisions of the bill.</p>		
<p><u>SB 1073</u> - Marsden (37) Motor vehicles; removal from roadway when involved in an accident on HOT lane on I-66 .</p>	<p>12/13/2018 Senate: Referred to Committee on Transportation 1/16/2019 Senate: Reported from Transportation (9-Y 0-N 1-A) 1/22/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/24/2019 House: Referred to Committee on Transportation 2/6/2019 House: Subcommittee recommends reporting with amendments (6-Y 0-N) 2/12/2019 House: Reported from Transportation with amendments (22-Y 0-N) 2/13/2019 House: Passed House with amendments BLOCK VOTE (98-Y 0-N) 2/13/2019 Senate: House amendments agreed to by Senate (37-Y 0-N) 2/18/2019 Senate: Enrolled 2/18/2019 House: Signed by Speaker 2/19/2019 Senate: Signed by President 2/20/2019 Senate: Enrolled Bill Communicated to Governor 2/20/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>1/22/2019</p>
<p>Support (19101626D) Summary: Removing motor vehicles from roadway. Requires the driver of a motor vehicle involved in an accident on a high occupancy toll (HOT) lane that is under construction on Interstate 66 to move such motor vehicle to the nearest pull-off area if the driver can safely do so, the vehicle is movable, and there are no injuries or deaths resulting from the accident. The bill provides that such requirement will expire upon the certification by the Secretary of Transportation that the HOT lane construction on Interstate 66 is complete.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1135 - Favola (31) Community Living Waiver wait list; child identified as having a developmental disability.</p>	<p>12/30/2018 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/25/2019 Senate: Reported from SRSS with substitute (14-Y 0-N) 1/30/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/4/2019 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/7/2019 House: Reported from HHWI with amendment (22-Y 0-N) 2/11/2019 House: Passed House with amendment (99-Y 0-N) 2/13/2019 Senate: House amendment agreed to by Senate (39-Y 0-N) 2/18/2019 Senate: Enrolled 2/18/2019 House: Signed by Speaker 2/19/2019 Senate: Signed by President 2/20/2019 Senate: Enrolled Bill Communicated to Governor 2/20/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>1/22/2019</p>
<p>Support (19102930D) Summary: Local departments of social services; foster care; notice of developmental disability. Directs local departments of social services to notify the appropriate community services board as soon as it is known that a child in the foster care system has a developmental disability so that the community services board may screen the child for placement on the statewide developmental disability waiver waiting list.</p>		
<p>SB 1145 - Favola (31) Virginia Initiative for Employment Not Welfare (VIEW); transitional child care.</p>	<p>12/31/2018 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/25/2019 Senate: Reported from SRSS (12-Y 1-N 1-A) 1/25/2019 Senate: Re-referred to Finance 1/29/2019 Senate: Reported from Finance (16-Y 0-N) 2/1/2019 Senate: Read third time and passed Senate (38-Y 1-N 1-A) 2/6/2019 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/12/2019 House: Reported from HHWI (22-Y 0-N) 2/13/2019 House: Passed House (85-Y 12-N) 2/18/2019 Senate: Enrolled 2/18/2019 House: Signed by Speaker 2/19/2019 Senate: Signed by President 2/20/2019 Senate: Enrolled Bill Communicated to Governor 2/20/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>1/22/2019</p>
<p>Support (19101901D) Summary: Allows VIEW participants whose Temporary Assistance for Needy Families financial assistance is terminated to receive child care assistance for up to 12 months after termination if the individual is enrolled in an accredited public institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education for Virginia and is taking courses as part of a curriculum that leads to a postsecondary credential, such as a degree or an industry-recognized credential, certification, or license. Under current law, such child care assistance is only available if it enables the individual to work. This bill is identical to HB 1871.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1224 - Chafin (38) Protective services; adult abuse and exploitation, multidisciplinary teams.</p>	<p>1/4/2019 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/25/2019 Senate: Reported from SRSS with substitute (15-Y 0-N) 1/30/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/4/2019 House: Referred to Committee for Courts of Justice 2/18/2019 House: Reported from Courts of Justice with substitute (18-Y 0-N) 2/20/2019 House: Passed House with substitute (100-Y 0-N) 2/21/2019 Senate: House substitute agreed to by Senate (40-Y 0-N) 2/23/2019 Senate: Enrolled 2/23/2019 Senate: Signed by President 2/23/2019 House: Signed by Speaker</p>	<p>1/22/2019</p>
<p>Support (19103368D) Summary: Protective services; adult abuse, neglect, and exploitation; multidisciplinary teams. Authorizes local departments of social services to foster, when practicable, the creation, maintenance, and coordination of hospital and community-based multidisciplinary teams focused on the abuse and exploitation of adults 60 years of age or older or 18 years of age or older who are physically or mentally incapacitated. The bill provides that such teams may: (i) assist the local department of social services in identifying abused, neglected, and exploited adults; (ii) coordinate medical, social, and legal services for abused, neglected, and exploited adults and their families; (iii) develop innovative programs for detection and prevention of the abuse, neglect, and exploitation of adults; (iv) promote community awareness and action to address adult abuse, neglect, and exploitation; and (v) disseminate information to the general public regarding the problem of adult abuse, neglect, and exploitation, strategies and methods for preventing such abuse, and treatment options for abused, neglected, and exploited adults. The bill also allows the attorney for the Commonwealth in each jurisdiction to establish a multidisciplinary adult abuse, neglect, and exploitation response team to review cases of abuse, neglect, and exploitation of adults. Such multidisciplinary team may be established separately or in conjunction with any already existing multidisciplinary team. This bill is identical to HB 2560.</p>		
<p>SB 1277 - Barker (39) Certificate of public need; nursing homes and hospitals, disaster exemption.</p>	<p>1/7/2019 Senate: Referred to Committee on Education and Health 1/31/2019 Senate: Reported from Education and Health (15-Y 0-N) 2/4/2019 Senate: Passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/12/2019 House: Reported from HHWI with substitute (22-Y 0-N) 2/13/2019 House: Passed House with substitute (98-Y 0-N) 2/15/2019 Senate: House substitute agreed to by Senate (39-Y 0-N) 2/20/2019 Senate: Enrolled 2/20/2019 Senate: Signed by President 2/20/2019 House: Signed by Speaker 2/27/2019 Senate: Enrolled Bill Communicated to Governor 2/27/2019 Governor: Governor's Action Deadline Midnight, 3/26/2019</p>	<p>1/22/2019</p>
<p>Support (19101545D) - See also HB 1870 (Sickles) and HB 2451 (Bell, Richard P.). Summary: Certificate of public need; hospitals and nursing homes; disaster exemption; regulations. Provides for a 30-day exemption from the requirement to obtain a certificate of public need for an increase in the total number of beds in existing hospitals or nursing homes if the State Health Commissioner has determined that a natural or man-made disaster has caused the evacuation of a hospital or nursing home and that a public health emergency exists due to a shortage of hospital or nursing home beds. The Board of Health shall adopt regulations for this exemption. This bill is identical to HB 1870.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1286</u> - Barker (39) Auxiliary grants; supportive housing.</p>	<p>1/7/2019 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/25/2019 Senate: Reported from SRSS (15-Y 0-N) 1/25/2019 Senate: Re-referred to Finance 1/29/2019 Senate: Reported from Finance (16-Y 0-N) 2/1/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/12/2019 House: Reported from HHWI with amendments (22-Y 0-N) 2/13/2019 House: Passed House with amendments (98-Y 0-N) 2/15/2019 Senate: House amendments rejected by Senate (1-Y 38-N) 2/18/2019 House: House insisted on amendments 2/18/2019 House: House requested conference committee 2/19/2019 Senate: Senate acceded to request (40-Y 0-N) 2/19/2019 Senate: Conferees appointed by Senate: Senators: Barker, Cosgrove, Chafin 2/20/2019 House: Conferees appointed by House: Delegates: Peace, Orrock, Aird 2/21/2019 Conference: Amended by conference committee 2/21/2019 House: Conference report agreed to by House (100-Y 0-N) 2/22/2019 Senate: Conference report agreed to by Senate (40-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19102021D) Summary: Persons with disabilities; auxiliary grants; supportive housing. Clarifies language surrounding receipt of auxiliary grants by individuals living in supportive housing and increases the maximum number of auxiliary grant recipients in supportive housing from 60 to 120.</p>		
<p><u>SB 1301</u> - Edwards (21) Private collectors; delinquent taxes and other charges.</p>	<p>1/7/2019 Senate: Referred to Committee on Finance 1/16/2019 Senate: Passed by indefinitely in Finance (10-Y 6-N) 1/22/2019 Senate: Reconsidered by Finance 1/23/2019 Senate: Reported from Finance (9-Y 7-N) 1/28/2019 Senate: Read third time and passed Senate (22-Y 16-N) 1/30/2019 House: Referred to Committee on Finance 2/6/2019 House: Subcommittee recommends reporting (7-Y 0-N) 2/11/2019 House: Reported from Finance (20-Y 1-N) 2/14/2019 House: Passed House (79-Y 19-N) 2/20/2019 Senate: Enrolled 2/20/2019 Senate: Signed by President 2/20/2019 House: Signed by Speaker 2/27/2019 Senate: Enrolled Bill Communicated to Governor 2/27/2019 Governor: Governor's Action Deadline Midnight, 3/26/2019</p>	<p>2/19/2019</p>
<p>Support (19102375D) - Board has historically supported concept. Summary: Allows a local treasurer to employ private collections agents to assist with the collection of delinquent amounts due other than delinquent local taxes. Current law allows only for the collection of delinquent taxes by private collections agents.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1373</u> - Favola (31) Conditional rezoning proffers; extensive changes to conditional zoning provisions.</p>	<p>1/8/2019 Senate: Referred to Committee on Local Government (SLG) 1/15/2019 Senate: Incorporates SB 1524 (Black) 1/15/2019 Senate: Reported from Local Government with substitute (11-Y 2-N) 1/21/2019 Senate: Read third time and passed Senate (29-Y 10-N 1-A) 1/24/2019 House: Referred to Committee on Counties, Cities and Towns 2/8/2019 House: Reported from Counties, Cities, and Towns (20-Y 2-N) 2/11/2019 House: Passed House (92-Y 7-N) 2/12/2019 Senate: Enrolled 2/12/2019 House: Signed by Speaker 2/13/2019 Senate: Signed by President 2/14/2019 Senate: Enrolled Bill Communicated to Governor 2/14/2019 Governor: Governor's Action Deadline Midnight, 2/21/2019 2/21/2019 Governor: Approved by Governor-Chapter 129 (effective 7/1/19)</p>	<p>1/22/2019</p>

Support (19104977D-S1) - See also HB 2342 (Thomas).

Summary: Conditional rezoning proffers. Makes extensive changes to conditional zoning provisions first enacted in 2016. Specific amendments include the addition of provisions stating that no local governing body shall require any unreasonable proffer, as described in current law. Under current law, no locality may request or accept any unreasonable proffer. Other changes (i) allow an applicant to submit any onsite or offsite proffer that the applicant deems reasonable and appropriate, as conclusively evidenced by the signed proffers, and (ii) state that nothing in the bill shall be deemed or interpreted to prohibit communications between an applicant or owner and the locality or to prohibit presentation, analysis, or discussion of the potential impacts of new residential development or other new residential use on the locality's public facilities. The provisions of the bill are effective as to any application for a rezoning filed on or after July 1, 2019, or for a proffer condition amendment amending a rezoning that was filed on or after July 1, 2019, or to certain other pending applications. The bill also provides that an applicant with a pending rezoning application for a rezoning or proffer condition amendment that was filed prior to July 1, 2016, may continue to proceed under the law as it existed prior to that date, and an applicant with a pending rezoning application filed on or after July 1, 2016, but before July 1, 2019, or proffer condition amendment application amending a rezoning for which the application was filed on or after July 1, 2016, but before July 1, 2019, may continue to proceed under the law as it existed during that period. This bill incorporates SB 1524 and is identical to HB 2342.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1400</u> - Petersen (34) C-PACE loans; stormwater management, residential dwellings and condominiums.</p>	<p>1/8/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Reported from Local Government (13-Y 0-N) 2/4/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Counties, Cities and Towns 2/13/2019 House: Subcommittee recommends reporting with amendment (8-Y 0-N) 2/15/2019 House: Reported from Counties, Cities, and Towns with amendment (21-Y 0-N) 2/19/2019 House: Passed House with amendment (98-Y 0-N) 2/19/2019 House: Reconsideration of House passage agreed to by House 2/19/2019 House: Passed House with amendment (99-Y 0-N) 2/20/2019 Senate: House amendment agreed to by Senate (40-Y 0-N) 2/23/2019 Senate: Enrolled 2/23/2019 Senate: Signed by President 2/23/2019 House: Signed by Speaker</p>	<p>2/19/2019</p>
<p>Support (19101646D) Summary: C-PACE loans; stormwater management; residential dwellings and condominiums. Authorizes any locality, by ordinance, to authorize contracts to provide loans for the initial acquisition and installation of stormwater management improvements with free and willing property owners of both existing properties and new construction. Current law authorizes such contracts only for clean energy improvements.</p>		
<p><u>SB 1405</u> - Dance (16) Pharmacist; counseling for new prescriptions, disposal of medicine.</p>	<p>1/8/2019 Senate: Referred to Committee on Education and Health 1/17/2019 Senate: Reported from Education and Health (15-Y 0-N) 1/22/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/24/2019 House: Referred to Committee on Health, Welfare and Institutions 2/7/2019 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/11/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 2/12/2019 Senate: Enrolled 2/12/2019 House: Signed by Speaker 2/13/2019 Senate: Signed by President 2/14/2019 Senate: Enrolled Bill Communicated to Governor 2/14/2019 Governor: Governor's Action Deadline Midnight, February 21, 2019 2/21/2019 Governor: Approved by Governor-Chapter 96 (effective 7/1/19)</p>	<p>2/5/2019</p>
<p>Support (19101424D) - See also HB 1743 (Bulova). Summary: Pharmacist; counseling for new prescriptions; disposal of medicine. Allows a pharmacist to include information regarding the proper disposal of medicine when giving counsel to a person who presents a new prescription for filling. This bill is identical to HB 1743.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1407 - Mason (1) Child care providers; fingerprint background checks.</p>	<p>1/8/2019 Senate: Referred to Committee on Rehabilitation and Social Services 2/1/2019 Senate: Reported from Rehabilitation and Social Services with substitute (13-Y 0-N) 2/5/2019 Senate: Passed Senate (40-Y 0-N) 2/8/2019 House: Referred to Committee on Health, Welfare and Institutions 2/12/2019 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/13/2019 House: Passed House BLOCK VOTE (98-Y 0-N) 2/18/2019 Senate: Enrolled 2/18/2019 House: Signed by Speaker 2/19/2019 Senate: Signed by President 2/20/2019 Senate: Enrolled Bill Communicated to Governor on February 20, 2019 2/20/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>1/22/2019</p>
<p>Support (19101950D) - See also HB 1994 (Price). Summary: Child day programs; fingerprint background checks. Allows local law-enforcement agencies to process and submit requests for national fingerprint background checks for employees and volunteers of child day programs operated by a local government. The bill has a delayed effective date of July 1, 2020.</p>		
<p>SB 1439 - McClellan (9) Death certificates; medical certification, electronic filing.</p>	<p>1/8/2019 Senate: Referred to Committee on Education and Health 1/17/2019 Senate: Incorporates SB 1493 (Cosgrove) 1/17/2019 Senate: Reported from Education and Health with substitute (15-Y 0-N) 1/22/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/24/2019 House: Referred to Committee on Health, Welfare and Institutions 2/7/2019 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 2/11/2019 House: Passed House with amendments BLOCK VOTE (99-Y 0-N) 2/13/2019 Senate: House amendments agreed to by Senate (39-Y 0-N) 2/18/2019 Senate: Enrolled 2/18/2019 House: Signed by Speaker 2/19/2019 Senate: Signed by President 2/20/2019 Senate: Enrolled Bill Communicated to Governor on February 20, 2019 2/20/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>2/5/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (19105238D-S1) Summary: Death certificates; medical certification; electronic filing. Requires the completed medical certification portion of a death certificate to be filed electronically with the State Registrar of Vital Records through the Electronic Death Registration System and provides that, except for under certain circumstances, failure to file a medical certification of death electronically through the Electronic Death Registration System shall constitute grounds for disciplinary action by the Board of Medicine. The bill includes a delayed effective date of January 1, 2020, and a phased-in requirement for registration with the Electronic Death Registration System and electronic filing of medical certifications of death for various categories of health care providers. The bill directs the Department of Health to work with stakeholders to educate and encourage physicians, physician assistants, and nurse practitioners to timely register with and utilize the Electronic Death Registration System.</p>		
<p>SB 1468 - Black (13) Northern Virginia Transportation Authority; analysis of projects.</p>	<p>1/8/2019 Senate: Referred to Committee on Transportation 1/16/2019 Senate: Reported from Transportation with amendments (10-Y 0-N) 1/22/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/24/2019 House: Referred to Committee on Transportation 2/6/2019 House: Subcommittee recommends reporting (6-Y 0- N) 2/12/2019 House: Reported from Transportation (21-Y 1-N) 2/12/2019 House: Referred to Committee on Appropriations 2/13/2019 House: Subcommittee recommends reporting (8-Y 0- N) 2/18/2019 House: Reported from Appropriations (22-Y 0-N) 2/20/2019 House: Passed House (99-Y 1-N) 2/23/2019 Senate: Enrolled 2/23/2019 Senate: Signed by President 2/23/2019 House: Signed by Speaker</p>	<p>1/22/2019</p>
<p>Support (19104213D) Summary: Shifts responsibility from the Department of Transportation to the Northern Virginia Transportation Authority for the evaluation and rating of significant transportation projects in and near Planning District 8. The bill also adds administrative and operating expenses to those expenses that can be paid by the Northern Virginia Transportation Authority Fund. Current law provides that administrative expenses be allocated to the component counties and cities of the Authority.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1520</u> - Carrico, Sr. (40) Motor Vehicles, Department of; records released to certain private vendors.</p>	<p>1/8/2019 Senate: Referred to Committee on Transportation 1/30/2019 Senate: Incorporates SB 1476 (Deeds) 1/30/2019 Senate: Reported from Transportation with substitute (13-Y 0-N) 2/4/2019 Senate: Passed Senate (38-Y 1-N) 2/4/2019 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/4/2019 Senate: Passed Senate (38-Y 2-N) 2/6/2019 House: Referred to Committee on Transportation 2/7/2019 House: Referred from Transportation by voice vote 2/7/2019 House: Referred to Committee for Courts of Justice 2/11/2019 House: Subcommittee recommends reporting with amendments (6-Y 0-N) 2/15/2019 House: Reported from Courts of Justice with amendments (17-Y 0-N) 2/20/2019 House: Passed House with amendments (100-Y 0-N) 2/21/2019 Senate: House amendments agreed to by Senate (39-Y 1-N) 2/23/2019 Senate: Enrolled 2/23/2019 Senate: Signed by President 2/23/2019 House: Signed by Speaker</p>	<p>2/19/2019 1/22/2019</p>
<p>Support (19105659D-S1) Monitor (19103029D) Summary: Department of Motor Vehicle records; certain private vendors; penalty. Requires the Department of Motor Vehicles to release certain vehicle owner data, upon request, to a private vendor operating a video-monitoring system on or in a school bus. The bill limits how such data can be used and stored and provides that any person who unlawfully discloses such data is subject to a civil penalty of \$1,000 for each disclosure. The bill provides that drivers required to stop for a stopped school bus shall remain stopped until the school bus is put in motion. This bill is identical to HB 2344.</p>		
<p><u>SB 1559</u> - Lewis, Jr. (6) C-PACE loans; shoreline resiliency improvements.</p>	<p>1/9/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Reported from Local Government with substitute (13-Y 0-N) 2/4/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Counties, Cities and Towns 2/13/2019 House: Subcommittee recommends reporting (8-Y 0-N) 2/15/2019 House: Reported from Counties, Cities and Towns (21-Y 0-N) 2/19/2019 House: Passed House BLOCK VOTE (98-Y 0-N) 2/19/2019 House: Reconsideration of House passage agreed to by House 2/19/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 2/22/2019 Senate: Enrolled 2/22/2019 Senate: Signed by President 2/22/2019 Senate: Signed by Speaker</p>	<p>2/19/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
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Support (19106110D-S1)
Summary: Authorizes any locality, by ordinance, to authorize contracts to provide loans for the initial acquisition and installation of shoreline resiliency improvements, including improvements for the mitigation of flooding or the impacts of flooding or stormwater management improvements with a preference for natural or nature-based features and living shorelines with free and willing property owners of both existing properties and new construction. Current law authorizes such contracts only for clean energy improvements. Such ordinance shall include (i) a minimum and maximum aggregate dollar amount that may be financed with respect to a property and (ii) if a locality or other public body is originating the loan, a maximum aggregate dollar amount that may be financed with respect to loans originated by the locality or other public body.

<p>SB 1575 - Ebbin (30) Teacher licensure; certain instructors at higher educational institutions.</p>	<p>1/9/2019 Senate: Referred to Committee on Education and Health 1/31/2019 Senate: Reported from Education and Health with substitute (15-Y 0-N) 2/4/2019 Senate: Passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Education 2/11/2019 House: Reported from Education with substitute (22-Y 0-N) 2/13/2019 House: Passed House with substitute (98-Y 0-N) 2/15/2019 Senate: House substitute rejected by Senate (0-Y 39-N) 2/18/2019 House: House insisted on substitute 2/18/2019 House: House requested conference committee 2/19/2019 Senate: Senate acceded to request (40-Y 0-N) 2/19/2019 Senate: Conferees appointed by Senate: Senators: Ebbin, Carrico, Dunnavant 2/20/2019 House: Conferees appointed by House: Delegates: Landes, Robinson, Tyler 2/22/2019 Conference: Amended by conference committee 2/23/2019 Senate: Conference report agreed to by Senate (39-Y 0-N) 2/23/2019 House: Conference report agreed to by House (94-Y 0-N)</p>	<p>1/22/2019</p>
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Support (19102839D)
Summary: Advisory Board on Teacher Education and Licensure; teacher licensure; dual enrollment and career and technical education. Grants to the Chancellor of the Virginia Community College System voting privileges as a member of the Advisory Board on Teacher Education and Licensure (the Advisory Board). The bill requires the Advisory Board to report to the Board of Education and the Chairmen of the House Committee on Education and the Senate Committee on Education and Health no later than December 1, 2019, recommendations relating to licensure qualifications for individuals (i) employed by an institution of higher education to teach career and technical education courses in a high school setting and (ii) to teach dual enrollment courses in a high school setting. The bill also requires the Board of Education to provide for the issuance of a three-year license to solely teach career and technical education courses or dual enrollment courses at public high schools in the Commonwealth to any individual who is employed as an instructor by an institution of higher education that is accredited by a nationally recognized regional accreditation body, is teaching in the specific career and technical education or dual enrollment subject area at such institution in which the individual seeks to teach at a public school, and complies with certain additional requirements.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1680</u> - Mason (1) Mass transit providers; loss of certain operating funds.</p>	<p>1/11/2019 Senate: Referred to Committee on Transportation 1/30/2019 Senate: Reported from Transportation with substitute (10-Y 2-N) 1/30/2019 Senate: Re-referred to Finance 1/31/2019 Senate: Reported from Finance (13-Y 1-N 2-A) 2/5/2019 Senate: Passed Senate (35-Y 5-N) 2/8/2019 House: Referred to Committee on Appropriations 2/11/2019 House: Reported from Appropriations (22-Y 0-N) 2/13/2019 House: Passed House BLOCK VOTE (98-Y 0-N) 2/18/2019 Senate: Enrolled 2/18/2019 House: Signed by Speaker 2/19/2019 Senate: Signed by President 2/20/2019 Senate: Enrolled Bill Communicated to Governor on February 20, 2019 2/20/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>1/22/2019</p>
<p>Support (19104336D) - See also HB 2553 (Thomas). Summary: Provides that any mass transit provider that incurs a loss in operating funds as a direct result of the performance-based allocation process set forth in Chapter 854 of the Acts of Assembly of 2018 may be eligible for supplemental operating funds in fiscal year 2020. The maximum amount of supplemental operating funds shall not exceed \$3 million from the nongeneral fund amounts available to the Department of Rail and Public Transportation.</p>		

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Fairfax County Positions
(Monitor)

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1625</u> - Orrock, Sr. (54) Animal care; adequate shelter, exposure to heat or cold.</p>	<p>10/23/2018 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/14/2019 House: Subcommittee recommends reporting (8-Y 0-N) 1/16/2019 House: Reported from Agriculture, Chesapeake and Natural Resources (21-Y 1-N) 1/22/2019 House: Read third time and passed House (88-Y 9-N) 1/23/2019 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/7/2019 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (8-Y 5-N) 2/14/2019 Senate: Passed Senate with substitute (34-Y 6-N) 2/14/2019 Senate: Committee substitute rejected 19106636D-S1 2/14/2019 Senate: Substitute by Senator Spruill agreed to 19107057D-S2 2/18/2019 House: Senate substitute rejected by House 19107057D-S2 (0-Y 98-N) 2/19/2019 Senate: Senate insisted on substitute (37-Y 3-N) 2/19/2019 Senate: Senate requested conference committee 2/20/2019 House: House acceded to request 2/20/2019 House: Conferees appointed by House: Delegates: Orrock, Marshall, Keam 2/21/2019 Senate: Conferees appointed by Senate: Senators: Stuart, Spruill, Stanley 2/21/2019 Conference: Amended by conference committee 2/21/2019 House: Conference report agreed to by House (84-Y 15-N) 2/21/2019 House: Reconsideration of conference report agreed to by House 2/21/2019 House: Conference report agreed to by House (80-Y 18-N) 2/22/2019 Senate: Conference report agreed to by Senate (38-Y 2-N)</p>	<p>1/22/2019</p>

Monitor (19100436D)

Summary: Animal care; adequate shelter; exposure to heat or cold. Provides that the definition of "adequate shelter" includes the provision of shelter that protects the animal from exposure to heat or cold. Current law requires such shelter to protect the animal from the adverse effects of heat or cold.

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1733 - Gilbert (15) School boards; local law-enforcement agencies, memorandums of understanding.</p>	<p>12/19/2018 House: Referred to Committee on Education 1/16/2019 House: Reported from Education with amendment (22-Y 0-N) 1/22/2019 House: Read third time and passed House (97-Y 0-N) 1/23/2019 Senate: Referred to Committee on Education and Health 2/7/2019 Senate: Reported from Education and Health with substitute (15-Y 0-N) 2/11/2019 Senate: Passed Senate with substitute (40-Y 0-N) 2/13/2019 House: Senate substitute rejected by House 19106557D-S1 (1-Y 93-N) 2/15/2019 Senate: Senate insisted on substitute (39-Y 0-N) 2/15/2019 Senate: Senate requested conference committee 2/18/2019 House: House acceded to request 2/18/2019 House: Conferees appointed by House: Delegates: Gilbert, Landes, VanValkenburg 2/19/2019 Senate: Conferees appointed by Senate: Senators: Suetterlein, Barker, Newman 2/22/2019 Senate: Conference report agreed to by Senate (39-Y 0-N) 2/22/2019 Conference: Amended by conference committee 2/22/2019 House: Conference report agreed to by House (88-Y 0-N)</p>	<p>1/22/2019</p>
<p>Monitor (19100602D) Summary: School boards; local law-enforcement agencies; memorandums of understanding. Requires (i) the Virginia Center for School and Campus Safety to develop a model memorandum of understanding and (ii) the school board in each school division in which the local law-enforcement agency employs school resource officers to enter into a memorandum of understanding with such local law-enforcement agency that is based on such model and sets forth the powers and duties of the school resource officers. The bill requires each such school board and local law-enforcement agency to review and amend or affirm the memorandum at least once every five years or at any time upon the request of either party. This bill is identical to SB 1214.</p>		
<p>HB 1865 - Fowler, Jr. (55) Towing fees; sets maximum towing hookup and initial towing fees.</p>	<p>1/3/2019 House: Referred to Committee on Transportation 1/15/2019 House: Subcommittee recommends reporting with substitute (6-Y 1-N) 1/29/2019 House: Reported from Transportation with substitute (22-Y 0-N) 2/4/2019 House: Read third time and passed House (83-Y 15-N) 2/5/2019 Senate: Referred to Committee on Transportation 2/13/2019 Senate: Reported from Transportation (12-Y 0-N) 2/18/2019 Senate: Passed Senate (40-Y 0-N) 2/21/2019 House: Enrolled 2/21/2019 House: Signed by Speaker 2/21/2019 Senate: Signed by President 2/28/2019 House: Enrolled Bill communicated to Governor 2/28/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>2/19/2019 1/22/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (19105967D-H1) - Amended to limit possible fee increases. See also SB 1567 (Marsden). Oppose Unless Amended (19104945D) — Oppose unless amended to limit fee increases. Summary: Localities; towing fees. Provides that localities in Planning District 8 and Planning District 16 shall establish by ordinance a hookup and initial towing fee of no less than \$135 and no more than \$150. Current law authorizes such localities to set the hookup and initial towing fee at \$135.</p>		
<p><u>HB 1937</u> - Krizek (44) Real property tax; exemptions for elderly and handicapped, computation of income limitation.</p>	<p>1/6/2019 House: Referred to Committee on Finance 1/14/2019 House: Reported from Finance with amendment (22-Y 0-N) 1/18/2019 House: Read third time and passed House (94-Y 0-N) 1/21/2019 Senate: Referred to Committee on Finance 2/6/2019 Senate: Reported from Finance (13-Y 0-N) 2/8/2019 Senate: Passed Senate (40-Y 0-N) 2/11/2019 House: Enrolled 2/11/2019 House: Signed by Speaker 2/11/2019 Senate: Signed by President 2/12/2019 House: Enrolled Bill communicated to Governor 2/12/2019 Governor: Governor's Action Deadline Midnight, February 19, 2019 2/15/2019 Governor: Approved by Governor-Chapter 16 (effective 7/1/19)</p>	<p>1/22/2019</p>
<p>Monitor (19100954D-E) Summary: Real property tax; exemptions for elderly and handicapped; computation of income limitation. Provides that, if a locality has established a real estate tax exemption for the elderly and handicapped and enacted an income limitation related to the exemption, the locality may exclude, for purposes of the limitation, any disability income received by a family member or nonrelative who lives in the dwelling and who is permanently and totally disabled.</p>		
<p><u>HB 1966</u> - Yancey (94) Uniform Statewide Building Code; issuance of building permits.</p>	<p>1/7/2019 House: Referred to Committee on General Laws 1/17/2019 House: Subcommittee recommends reporting with substitute (6-Y 1-N) 1/29/2019 House: Reported from General Laws with substitute (21-Y 0-N) 2/4/2019 House: Read third time and passed House (94-Y 4-N) 2/5/2019 Senate: Referred to Committee on General Laws and Technology 2/11/2019 Senate: Reported from General Laws and Technology with amendments (15-Y 0-N) 2/14/2019 Senate: Passed Senate with amendments (40-Y 0-N) 2/18/2019 House: Senate amendments agreed to by House (96-Y 1-N) 2/21/2019 House: Enrolled 2/21/2019 House: Signed by Speaker 2/21/2019 Senate: Signed by President 2/28/2019 House: Enrolled Bill communicated to Governor 2/28/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>2/5/2019 1/22/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (19105113D) - Bill has been amended to address the County's concerns. Oppose (19101136D) Summary: Uniform Statewide Building Code; enforcement by local building departments. Requires any fees that are levied by a local governing body in order to defray the cost of Building Code enforcement and appeals, with the exception of the levy imposed for the support of training programs of the Building Code Academy, be used only to support the functions of the local building department. The bill also requires local building departments, when denying an application for the issuance of a building permit, to provide to the applicant a written explanation detailing the reasons for which the application was denied. The bill provides that the applicant may submit a revised application addressing the reasons for which the application was previously denied and that, if the applicant does so, the local building department shall be encouraged, but not required, to limit its review of the revised application to only those portions of the application that were previously deemed inadequate and that the applicant has revised.</p>		
<p>HB 2014 - Peace (97) Family First Prevention Services Act; statutory alignment.</p>	<p>1/7/2019 House: Referred to Committee for Courts of Justice 1/14/2019 House: Referred from Courts of Justice by voice vote 1/14/2019 House: Referred to Committee on Health, Welfare and Institutions 1/24/2019 House: Subcommittee recommends reporting (10-Y 0-N) 1/29/2019 House: Reported from Health, Welfare and Institutions (21-Y 0-N) 1/29/2019 House: Referred to Committee on Appropriations 2/1/2019 House: Subcommittee recommends reporting (7-Y 0-N) 2/1/2019 House: Reported from Appropriations (21-Y 0-N) 2/5/2019 House: Read third time and passed House (98-Y 0-N) 2/5/2019 House: VOTE: PASSAGE EMERGENCY (98-Y 0-N) 2/6/2019 Senate: Referred to Committee for Courts of Justice 2/7/2019 Senate: Re-referred to Rehabilitation and Social Services 2/8/2019 Senate: Reported from Rehabilitation and Social Services with amendments (15-Y 0-N) 2/12/2019 Senate: Passed Senate with amendments (40-Y 0-N) 2/13/2019 House: Senate amendments agreed to by House (93-Y 0-N) 2/13/2019 House: VOTE: ADOPTION EMERGENCY (93-Y 0-N) 2/15/2019 House: Enrolled 2/15/2019 House: Signed by Speaker 2/15/2019 Senate: Signed by President 2/19/2019 House: Enrolled Bill communicated to Governor 2/19/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>2/5/2019</p>
<p>Monitor (19101811D) Summary: Aligns the Code of Virginia with the federal Family First Prevention Services Act of 2018. The bill contains an emergency clause for provisions of the bill relating to background checks for employees of, volunteers at, and contractors providing services to juveniles at children's residential facilities.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2474 - Torian (52) Long-term care; expediting review of applications, report.</p>	<p>1/9/2019 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/31/2019 House: Reported from HHWI with substitute (22-Y 0-N) 2/5/2019 House: Read third time and passed House (99-Y 0-N) 2/6/2019 Senate: Referred to Committee on Education and Health 2/14/2019 Senate: Reported from Education and Health (15-Y 0-N) 2/18/2019 Senate: Passed Senate (40-Y 0-N) 2/21/2019 House: Enrolled 2/21/2019 House: Signed by Speaker 2/21/2019 Senate: Signed by President 2/28/2019 House: Enrolled Bill communicated to Governor 2/28/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>2/19/2019 2/5/2019</p>
<p>Monitor (19105076D-H1) - Bill has been amended to require DMAS to provide certain annual reports to the General Assembly. Oppose Unless Amended (Subcommittee sub) – Oppose unless amended to return to requiring an expedited review only for applicants with a terminal condition. Summary: Medical assistance services; long term care; eligibility; screening; report. Directs the Department of Medical Assistance Services (DMAS) to report annually, by August 1, to the Governor and the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health regarding (i) the number of screenings for eligibility for community-based and institutional long-term care services conducted by DMAS or the public or private entity with which DMAS has entered into a contract to conduct such screenings and (ii) the number of cases in which DMAS or the public or private entity with which DMAS has entered into a contract to conduct such screenings fails to complete such screenings within 30 days.</p>		
<p>HB 2665 - Stolle (83) Specialty dockets; report.</p>	<p>1/11/2019 House: Referred to Committee for Courts of Justice 1/16/2019 House: Subcommittee recommends reporting (8-Y 0-N) 1/21/2019 House: Reported from Courts of Justice (18-Y 0-N) 1/25/2019 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 1/28/2019 Senate: Referred to Committee for Courts of Justice 1/30/2019 Senate: Reported from Courts of Justice (10-Y 0-N) 2/4/2019 Senate: Passed Senate (40-Y 0-N) 2/5/2019 House: Enrolled 2/5/2019 House: Signed by Speaker 2/5/2019 Senate: Signed by President 2/6/2019 House: Enrolled Bill communicated to Governor 2/6/2019 Governor: Governor's Action Deadline Midnight, February 13, 2019 2/13/2019 Governor: Approved by Governor-Chapter 13 (effective 7/1/19)</p>	<p>1/22/2019</p>
<p>Monitor (19103681D) - See also SB 1655 (Cosgrove). Summary: Requires the Office of the Executive Secretary of the Supreme Court to develop a statewide evaluation model and conduct ongoing evaluations of the effectiveness and efficiency of all local specialty dockets established in accordance with the Rules of Supreme Court of Virginia and submit a report of these evaluations to the General Assembly by December 1 of each year. This bill is identical to SB 1655.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2784 - Hodges (98) Robert O. Norris Bridge and Statewide Special Structure Fund; created.</p>	<p>1/18/2019 House: Referred to Committee on Transportation 1/24/2019 House: Subcommittee recommends reporting with amendment (7-Y 0-N) 1/29/2019 House: Reported from Transportation with amendments (21-Y 0-N) 1/29/2019 House: Referred to Committee on Appropriations 2/1/2019 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/1/2019 House: Reported from Appropriations with substitute (21-Y 0-N) 2/5/2019 House: Read third time and passed House (99-Y 0-N) 2/6/2019 Senate: Referred to Committee on Transportation 2/13/2019 Senate: Reported from Transportation (13-Y 0-N) 2/18/2019 Senate: Passed Senate (40-Y 0-N) 2/21/2019 House: Enrolled 2/21/2019 House: Signed by Speaker 2/21/2019 Senate: Signed by President 2/28/2019 House: Enrolled Bill communicated to Governor on February 28, 2019 2/28/2019 Governor: Governor's Action Deadline Midnight, March 26, 2019</p>	<p>2/19/2019</p>
<p>Monitor (19105915D-H1) - See also SB 1749 (McDougle). Summary: Robert O. Norris Bridge and Statewide Special Structure Fund. Establishes the Robert O. Norris Bridge and Statewide Special Structure Fund to be used for the purpose of funding maintenance and replacement of large and unique structures. The bill also requires the Commonwealth Transportation Board to (i) undertake a comprehensive review of the current and future condition of pavements and bridges in the Commonwealth; (ii) dedicate a portion of certain funds to the Robert O. Norris Bridge and Statewide Special Structure Fund; and (iii) evaluate the feasibility of using the Public-Private Transportation Act of 1995 to design, build, operate, and maintain two bridges to replace the Robert O. Norris Bridge on State Route 3 and the Downing Bridge on U.S. Route 360.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1025</u> - Spruill, Sr. (5) Companion animals; adequate shelter and space.</p>	<p>10/17/2018 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/17/2019 Senate: Reported from Agriculture, Conservation and Natural Resources with amendments (7-Y 6-N) 1/24/2019 Senate: Read third time and passed Senate (29-Y 11-N) 1/29/2019 House: Referred to Committee on Rules 2/12/2019 House: Referred from Rules by voice vote 2/12/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/13/2019 House: Subcommittee recommends reporting with substitute (6-Y 4-N) 2/13/2019 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (16-Y 6-N) 2/15/2019 House: Passed House with substitute (71-Y 24-N) 2/19/2019 Senate: House substitute agreed to by Senate (37-Y 3-N) 2/22/2019 Senate: Enrolled 2/22/2019 Senate: Signed by President 2/22/2019 Senate: Signed by President</p>	<p>2/19/2019 [2/8/2019]</p>

Monitor (19106905D-H1) - Bill amended to remove local authority pertaining to adequate shelter for companion animals. ~~[Support] (19100082D-E) - Support additional local authority pertaining to adequate shelter for companion animals.~~

Summary: Tethering of animals; adequate shelter and space. Provides that in order to meet the requirement that an animal be given adequate space, a tether must be at least three times the length of the animal or 10 feet in length, whichever is greater, and not cause injury or pain, weigh more than one-tenth of the animal's body weight, or have weights or heavy objects attached to it. Current law requires that the tether be at least three times the length of the animal. The bill exempts agricultural animals from provisions of the law related to tethering. The bill defines "adequate shelter" to mean the provision of shelter that, during hot weather, is shaded and does not readily conduct heat and, during cold weather, has a windbreak at its entrance and provides sufficient bedding material.

Bills	General Assembly Actions	Date of BOS Position
<p>SB 1425 - Dunnavant (12) License tax, local; mobile food units.</p>	<p>1/8/2019 Senate: Referred to Committee on Finance 1/16/2019 Senate: Reported from Finance (15-Y 0-N) 1/24/2019 Senate: Passed Senate (39-Y 1-N) 1/29/2019 House: Referred to Committee on Finance 2/6/2019 House: Subcommittee recommends reporting with amendment (8-Y 2-N) 2/13/2019 House: Reported from Finance with amendment (14-Y 8-N) 2/18/2019 House: Passed House with amendment (62-Y 34-N 2-A) 2/19/2019 Senate: House amendment rejected by Senate (0-Y 40-N) 2/19/2019 Senate: Reconsideration of House amendment agreed to by Senate (40-Y 0-N) 2/19/2019 Senate: House amendment agreed to by Senate (39-Y 1-N) 2/22/2019 Senate: Enrolled 2/22/2019 Senate: Signed by President 2/22/2019 Senate: Signed by Speaker</p>	<p>2/19/2019</p>
<p>Monitor (19105609D-S1) Summary: Local license tax; mobile food units. Provides that when the owner of a mobile food unit, defined as a restaurant mounted on wheels and readily moveable at any time during its operation, pays a license tax in the locality in which the mobile food unit is registered, no other license shall be required in any other locality in the Commonwealth. The exemption from paying the license tax in other localities will expire two years after the payment of the initial license tax in the locality in which the mobile food unit is registered. During the two-year exemption period, the owner may exempt up to three mobile food units from license taxation in other localities. Regardless of any license tax exemption, the owner must register with the commissioner of the revenue or director of finance in any locality in which he conducts business.</p>		
<p>SB 1430 - Obenshain (26) Virginia Conflict of Interest and Ethics Advisory Council; duties.</p>	<p>1/8/2019 Senate: Referred to Committee on Rules 2/1/2019 Senate: Reported from Rules with substitute (15-Y 0-N) 2/5/2019 Senate: Passed Senate (40-Y 0-N) 2/8/2019 House: Referred to Committee for Courts of Justice 2/11/2019 House: Subcommittee recommends reporting (6-Y 2-N) 2/18/2019 House: Reported from Courts of Justice (15-Y 2-N) 2/20/2019 House: Passed House (98-Y 2-N) 2/23/2019 Senate: Enrolled 2/23/2019 Senate: Signed by President 2/23/2019 House: Signed by Speaker</p>	<p>2/19/2019 2/5/2019</p>
<p>Monitor (19106374D-ES1) - Bill has been amended as requested. Amend (19103492D) – Amend to clarify that training will be online and to ensure parity with the requirements for state officials. Summary: Conflict of interest; duties of Virginia Conflict of Interest and Ethics Advisory Council; training requirement. Requires all local elected officials to take training on the provisions of the State and Local Government Conflict of Interests Act at least once every two years. The bill requires such officials in office on July 1, 2019, to complete such training no later than December 31, 2019. The Council may provide such training by online means.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1567 - Marsden (37) Towing fees; sets maximum towing hookup and initial towing fees.</p>	<p>1/9/2019 Senate: Referred to Committee on Transportation 1/30/2019 Senate: Reported from Transportation with substitute (13-Y 0-N) 2/4/2019 Senate: Passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Transportation 2/7/2019 House: Reported from Transportation (22-Y 0-N) 2/11/2019 House: Passed House (67-Y 31-N) 2/12/2019 Senate: Enrolled 2/12/2019 House: Signed by Speaker 2/13/2019 Senate: Signed by President 2/14/2019 Senate: Enrolled Bill Communicated to Governor 2/14/2019 Governor: Governor's Action Deadline Midnight, February 21, 2019 2/21/2019 Governor: Approved by Governor-Chapter 117 (effective 7/1/19)</p>	<p>2/19/2019 1/22/2019</p>
<p>Monitor (19106070D-S1) - Amended to limit possible fee increases. See also HB 1865 (Fowler). Oppose Unless Amended (19101339D) - Oppose unless amended to limit fee increases. Summary: Localities; towing fees. Provides that localities in Planning District 8 and Planning District 16 shall establish by ordinance a hookup and initial towing fee of no less than \$135 and no more than \$150. Current law authorizes such localities to set the hookup and initial towing fee at \$135.</p>		
<p>SB 1655 - Cosgrove, Jr. (14) Specialty dockets; report.</p>	<p>1/9/2019 Senate: Referred to Committee for Courts of Justice 1/28/2019 Senate: Reported from Courts of Justice (12-Y 0-N) 1/31/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/4/2019 House: Referred to Committee for Courts of Justice 2/6/2019 House: Reported from Courts of Justice (17-Y 0-N) 2/11/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 2/12/2019 Senate: Enrolled 2/12/2019 House: Signed by Speaker 2/13/2019 Senate: Signed by President 2/14/2019 Senate: Enrolled Bill Communicated to Governor 2/14/2019 Governor: Governor's Action Deadline Midnight, February 21, 2019 2/19/2019 Governor: Approved by Governor-Chapter 51 (effective 7/1/19)</p>	<p>1/22/2019</p>
<p>Monitor (19101131D) - See also HB 2665 (Stolle). Summary: Requires the Office of the Executive Secretary of the Supreme Court to develop a statewide evaluation model and conduct ongoing evaluations of the effectiveness and efficiency of all local specialty dockets established in accordance with the Rules of Supreme Court of Virginia and submit a report of these evaluations to the General Assembly by December 1 of each year. This bill is identical to HB 2665.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1749</u> - McDougle (4) Robert O. Norris Bridge and Statewide Special Structure Fund; created.</p>	<p>1/17/2019 Senate: Referred to Committee on Transportation 1/30/2019 Senate: Reported from Transportation with amendment (13-Y 0-N) 2/4/2019 Senate: Passed Senate (40-Y 0-N) 2/4/2019 Senate: Committee amendment rejected 2/4/2019 Senate: Substitute by Senator McDougle agreed to 19106283D-S1 2/6/2019 House: Referred to Committee on Transportation 2/7/2019 House: Reported from Transportation (22-Y 0-N) 2/11/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 2/12/2019 Senate: Enrolled 2/12/2019 House: Signed by Speaker 2/13/2019 Senate: Signed by President 2/14/2019 Senate: Enrolled Bill Communicated to Governor 2/14/2019 Governor: Governor's Action Deadline Midnight, February 21, 2019 2/21/2019 Governor: Approved by Governor-Chapter 83 (effective 7/1/19)</p>	<p>2/19/2019</p>

Monitor (19106283D-S1) - See also HB 2784 (Hodges).

Summary: Robert O. Norris Bridge and Statewide Special Structure Fund. Establishes the Robert O. Norris Bridge and Statewide Special Structure Fund to be used for the purpose of funding maintenance and replacement of large and unique structures. The bill also requires the Commonwealth Transportation Board to (i) undertake a comprehensive review of the current and future condition of pavements and bridges in the Commonwealth; (ii) dedicate a portion of certain funds to the Robert O. Norris Bridge and Statewide Special Structure Fund; and (iii) evaluate the feasibility of using the Public-Private Transportation Act of 1995 to design, build, operate, and maintain two bridges to replace the Robert O. Norris Bridge on State Route 3 and the Downing Bridge on U.S. Route 360.

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1759</u> - Surovell (36) Underground electric distribution lines; placing in areas of transit-oriented development.</p>	<p>1/18/2019 Senate: Referred to Committee on Commerce and Labor 1/31/2019 Senate: Reported from Commerce and Labor with substitute (9-Y 4-N) 1/31/2019 Senate: Re-referred to Finance 1/31/2019 Senate: Reported from Finance (13-Y 3-N) 2/5/2019 Senate: Passed Senate (32-Y 8-N) 2/5/2019 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/5/2019 Senate: Passed Senate (29-Y 11-N) 2/5/2019 Senate: Committee substitute rejected 19106254D-S1 2/5/2019 Senate: Substitute by Senator Surovell agreed to 19106453D-S2 2/8/2019 House: Referred to Committee on Commerce and Labor 2/14/2019 House: Reported from Commerce and Labor with amendments (20-Y 1-N) 2/19/2019 House: Passed House with substitute (93-Y 4-N) 2/19/2019 House: Committee amendments from Commerce and Labor rejected 2/19/2019 House: Substitute by Delegate Kilgore agreed to 19107326D-H1 2/20/2019 Senate: House substitute agreed to by Senate (29-Y 10-N) 2/23/2019 Senate: Enrolled 2/23/2019 Senate: Signed by President 2/23/2019 House: Signed by Speaker</p>	<p>2/19/2019 2/5/2019</p>

Monitor (19107326D-H1) - Seek amendments to provide safeguards and improve potential implementation.

Support (19100654D)

Summary: Undergrounding utility lines pilot program; transportation infrastructure improvement; urban county executive form of government. Establishes a pilot program under which the governing body of any locality operating under the urban county executive form of government (Fairfax County) may request an electric utility to place underground electric utility distribution lines in transportation projects to serve and facilitate the creation of transit-oriented development in such locality in conjunction with a transportation infrastructure improvement project that the Commonwealth Transportation Board identifies that reduces congestion, improves mobility, incorporates transit systems and improves safety. The measure provides that the locality and the utility shall enter into an agreement that provides that (i) the locality shall pay to the utility its full additional costs of relocating and converting that portion of the line located in the locality underground rather than overhead that are not recoverable under applicable rates, net of relocation credits, which costs shall include associated feasibility costs, or any smaller portion of such costs as the utility and the locality may agree; (ii) the locality shall impose an additional levy on electric utility customers in the locality in an amount sufficient to cover the utility's additional costs, which levy shall not exceed \$1 per month on residential customers and shall be collected by the utility on behalf of the locality; (iii) the utility shall convert, operate, and maintain the agreed portion of the line underground; and (iv) other terms and conditions on which the parties may agree shall be included in the agreement. The measure provides that upon presentation of the agreement to the Commonwealth Transportation Board, the Commissioner of Highways shall be responsible for securing the necessary easements and permits for the pilot program. The measure provides that the pilot program terminates on July 1, 2022.

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Fairfax County Positions

* * *

Legislation

No Longer Under Consideration

(Failed to Report, Incorporated into other Legislation, Tabled, etc.)

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1615 - Landes (25) Elections; date of June primary election.</p>	<p>8/28/2018 House: Referred to Committee on Privileges and Elections 1/30/2019 House: Subcommittee recommends reporting (6-Y 0-N) 2/1/2019 House: Reported from Privileges and Elections (19-Y 3-N) 2/5/2019 House: Read third time and passed House (91-Y 8-N) 2/6/2019 Senate: Referred to Committee on Privileges and Elections 2/12/2019 Senate: Reported from Privileges and Elections (7-Y 5-N) 2/15/2019 Senate: Defeated by Senate (11-Y 28-N)</p>	<p>2/5/2019</p>
<p>Support (19100239D) Summary: Changes the date of the primary election held in June from the second Tuesday in June to the third Tuesday in June. The bill also changes candidate filing deadlines to reflect the change of date.</p>		
<p>HB 1628 - Hayes, Jr. (77) Absentee voting; persons age 65 or older.</p>	<p>10/23/2018 House: Referred to Committee on Privileges and Elections 1/29/2019 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/5/2019 House: Left in Privileges and Elections</p>	<p>1/22/2019</p>
<p>Support (19100383D) - Board has historically supported. Summary: Absentee voting; eligibility of persons age 65 or older. Entitles a person who will be age 65 or older on the day of an election to vote by absentee ballot in that election.</p>		
<p>HB 1641 - Herring (46) Absentee voting; no-excuse absentee.</p>	<p>11/26/2018 House: Referred to Committee on Privileges and Elections 1/29/2019 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/5/2019 House: Left in Privileges and Elections</p>	<p>1/22/2019</p>
<p>Support (19100922D) - Board has historically supported. See also SB 1026 (Spruill), SB 1035 (Locke), and SB 1672 (Locke). Summary: Permits any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons under which a person may be entitled to vote by absentee ballot and removes references to those reasons from other sections of the Code.</p>		
<p>HB 1645 - Bourne (71) Virginia Fair Housing Law; unlawful discriminatory housing practices.</p>	<p>11/27/2018 House: Referred to Committee on Rules 1/18/2019 House: Referred from Rules by voice vote 1/18/2019 House: Referred to Committee on General Laws 2/5/2019 House: Left in General Laws</p>	<p>1/22/2019</p>
<p>Support (19100302D) - Board has historically supported. Summary: Adds discrimination on the basis of a person's source of income to the list of unlawful discriminatory housing practices. The bill defines "source of income" as any source that lawfully provides funds to or on behalf of a renter or buyer of housing, including any assistance, benefit, or subsidy program, whether such program is administered by a governmental or nongovernmental entity.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1667 - Kilgore (1) Virginia Public Procurement Act; statute of limitations on actions on construction contracts, etc.</p>	<p>12/3/2018 House: Referred to Committee for Courts of Justice 1/11/2019 House: Subcommittee recommends reporting (5-Y 1-N) 1/30/2019 House: Subcommittee recommends reporting with substitute (6-Y 1-N) 1/30/2019 House: Reported from Courts of Justice with substitute (11-Y 6-N) 1/30/2019 House: Referred to Committee on Appropriations 2/5/2019 House: Left in Appropriations</p>	<p>1/22/2019</p>
<p>Oppose (19101460D) - See also SB 1369 (Norment). Summary: Virginia Public Procurement Act; statute of limitations on actions on construction contracts; statute of limitations on actions on performance bonds. Provides that no action may be brought by a public body on any construction contract, including construction management and design-build contracts, unless such action is brought within five years after substantial completion of the work on the project and that no action may be brought by a public body on a warranty or guarantee in such construction contract more than one year from the breach of that warranty, but in no event more than one year after the expiration of such warranty or guarantee. The bill also limits the time frame during which a public body, other than the Department of Transportation, may bring an action against a surety on a performance bond to within one year after substantial completion of the work on the project. Current law allows a public body, other than the Department of Transportation, to bring such an action within one year after (i) completion of the contract, including the expiration of all warranties and guarantees, or (ii) discovery of the defect or breach of warranty that gave rise to the action.</p>		
<p>HB 1695 - Fariss (59) Passing a stopped school bus; civil penalty.</p>	<p>12/11/2018 House: Referred to Committee on Transportation 1/17/2019 House: Referred from Transportation by voice vote 1/17/2019 House: Referred to Committee for Courts of Justice 1/23/2019 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/5/2019 House: Left in Courts of Justice</p>	<p>1/22/2019</p>
<p>Support (19101584D) Summary: Increases from \$250 to \$500 the civil penalty for passing a stopped school bus.</p>		
<p>HB 1703 - Guzman (31) Aviation jet fuel; taxation, distribution of certain revenue to Metro. Washington Airport Authority.</p>	<p>12/12/2018 House: Referred to Committee on Finance 1/23/2019 House: Subcommittee recommends passing by indefinitely (8-Y 1-N) 2/5/2019 House: Left in Finance</p>	<p>1/22/2019</p>
<p>Oppose (19101086D) Summary: Taxation of aviation jet fuel; distribution of certain revenues to Metropolitan Washington Airports Authority. Imposes a tax at a rate of five cents per gallon on aviation jet fuel purchased or used by an airline licensed by the Federal Aviation Administration with more than eight billion passenger-miles originating at Virginia airports during the calendar year and any regional air carrier contracting with such airline. The bill disburses revenue from the tax to the Metropolitan Washington Airports Authority (the Authority), provided that the Authority enters into an agreement to use the proceeds to finance Phase 2 of the Dulles Corridor Metrorail project and to reduce toll rates on users of the Dulles Toll Road. If the Authority does not enter into such an agreement, the bill prohibits the Department of Aviation from disbursing any revenue from taxes on aviation fuel to the Authority.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 1823 - Convirs-Fowler (21) Virginia Fair Housing Law; unlawful discriminatory housing practices.	1/1/2019 House: Referred to Committee on Rules 1/28/2019 House: Stricken from docket by Rules (16-Y 0-N)	1/22/2019
<p>Support (19102102D) - Board has historically supported.</p> <p>Summary: Virginia Fair Housing Law; unlawful discriminatory housing practices; sexual orientation and gender identity. Adds discrimination on the basis of an individual's sexual orientation or gender identity as an unlawful housing practice. The bill defines "sexual orientation" and "gender identity."</p>		
HB 1843 - Bloxom, Jr. (100) Driver privilege cards; penalty.	1/2/2019 House: Referred to Committee on Transportation 1/25/2019 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/5/2019 House: Left in Transportation	1/22/2019
<p>Support (19101370D)</p> <p>Summary: Authorizes the issuance of new driver privilege cards by the Department of Motor Vehicles to an applicant who (i) has reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months; (ii) is not in violation of the insurance requirements for the registration of an uninsured motor vehicle; and (iii) provides an unexpired passport as proof of identity. The bill provides that driver privilege cards shall confer the same privileges and shall be subject to the same provisions as driver's licenses and permits; however, driver privilege cards shall not (a) confer voting privileges, (b) permit an individual to waive any part of the driver examination, or (c) have their issuance be contingent upon the applicant's ability to produce proof of legal presence in the United States. The bill provides for the term "driver's license" to consistently refer to all driver's licenses, permits, driver privilege cards, and special identification cards issued by the Commonwealth or the comparable law of another jurisdiction. The bill allows the issuance of a limited-duration driver's license and special identification card to an applicant presenting valid documentary evidence that a federal court or federal agency having jurisdiction over immigration has authorized the applicant to be in the United States for a period of at least 30 days from the date of application. The bill authorizes the Tax Commissioner to provide to the Commissioner of the Department of Motor Vehicles information sufficient to verify that an applicant for a driver privilege card or permit reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months. The bill has a delayed effective date of January 1, 2020.</p>		
HB 1872 - Webert (18) Motorcycles and autocycles; protective helmets, organ donor exemption.	1/3/2019 House: Referred to Committee on Transportation 1/22/2019 House: Subcommittee failed to recommend reporting (2-Y 8-N) 2/5/2019 House: Left in Transportation	1/22/2019
<p>Oppose (19100466D) - Board has historically opposed.</p> <p>Summary: Protective helmets on motorcycles and autocycles; organ donor exemption. Exempts any operator of and passenger on a motorcycle or autocycle who is 21 years of age or older and a registered organ donor from the requirement to wear a protective helmet when on a motorcycle or autocycle. The bill reduces operating or riding on a motorcycle or autocycle without a protective helmet from a primary offense to a secondary offense, which can be charged only when the offender is stopped for another, separate offense.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1879</u> - Convirs-Fowler (21) Stormwater management facilities; private residential lots, disclosure.</p>	<p>1/3/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/16/2019 House: Referred from HAG by voice vote 1/16/2019 House: Referred to Committee on General Laws 1/22/2019 House: Subcommittee recommends laying on the table (6-Y 2-N) 2/5/2019 House: Left in General Laws</p>	<p>1/22/2019</p>
<p>Support (19101519D) Summary: Stormwater management facilities; private residential lots; disclosure. Directs the State Water Control Board to adopt regulations requiring any local stormwater management authority that requires a residential landowner to maintain a stormwater management facility on his property to record with the deed for the property a statement of the specifications and requirements and a schedule of audits of the facility. The bill requires the seller of any property with such a facility to disclose the specifications, requirements, and schedule of audits to a purchaser of the property.</p>		
<p><u>HB 1891</u> - James (80) Food stamps; eligibility, drug-related felonies.</p>	<p>1/4/2019 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/22/2019 House: Subcommittee recommends reporting with amendment (6-Y 4-N) 1/22/2019 House: Subcommittee recommends referring to Committee on Appropriations 1/24/2019 House: Reported from HHWI with amendment (15-Y 7-N) 1/24/2019 House: Referred to Committee on Appropriations 1/29/2019 House: Subcommittee recommends reporting with substitute (5-Y 2-N) 1/30/2019 House: Tabled in Appropriations (12-Y 10-N)</p>	<p>1/22/2019</p>
<p>Support (19101723D) - Board has historically supported. See also SB 1129 (Locke). Summary: Eligibility for food stamps; drug-related felonies. Provides that a person who is otherwise eligible to receive food stamp benefits shall not be denied such assistance solely because he has been convicted of a drug-related felony. Under current law, such individuals may not be denied food stamp benefits based on a felony conviction of possession of a controlled substance, provided that such person is complying with, or has already complied with, all obligations imposed by the criminal court, is actively engaged in or has completed a substance abuse treatment program, participates in periodic drug screenings, and fulfills any other obligations as determined by the Department of Social Services.</p>		
<p><u>HB 1903</u> - Head (17) Criminal history record information; limitations on dissemination of information.</p>	<p>1/4/2019 House: Referred to Committee for Courts of Justice 2/5/2019 House: Left in Courts of Justice</p>	<p>1/22/2019</p>
<p>Amend (19100543D) - Amend to allow public employers to receive criminal history information older than seven years from the date of the request. Summary: Dissemination of criminal history record information; limitations. Limits the criminal history information that the Central Criminal Records Exchange, or the criminal justice agency in cases of offenses not required to be reported to the Exchange, may provide to a requesting employer or prospective employer to convictions occurring within seven years prior to the request, except for any information related to a felony act of violence or a barrier crime.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1907</u> - VanValkenburg (72) Localities and school divisions; posting of register of funds expended.</p>	<p>1/4/2019 House: Referred to Committee on Counties, Cities and Towns 1/30/2019 House: Subcommittee recommends laying on the table (7-Y 1-N) 2/5/2019 House: Left in Counties, Cities and Towns</p>	<p>1/22/2019</p>
<p>Amend (19103212D) - Amend to allow flexibility to exclude personally identifiable information of constituents and employees; Board has historically recommended amendment. See also SB 1262 (Sturtevant). Summary: Requires every locality with a population greater than 25,000 and each school division with greater than 5,000 students to post quarterly on the public government website of such locality or school division a register of all funds expended, showing vendor name, date of payment, amount, and a description of the type of expense, including credit card purchases with the same information. The bill allows any locality or school division to exclude from such posting any information that is exempt from mandatory disclosure under the Virginia Freedom of Information Act, any personal identifying information related to a court-ordered payment, and any information related to undercover law-enforcement officers. The bill has a delayed effective date of July 1, 2020.</p>		
<p><u>HB 1959</u> - Toscano (57) Absentee voting; no-excuse in-person available 21 days prior to election.</p>	<p>1/6/2019 House: Referred to Committee on Privileges and Elections 1/29/2019 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/5/2019 House: Left in Privileges and Elections</p>	<p>1/22/2019</p>
<p>Support with Amendment (19102642D) - Support with amendments to facilitate implementation. Board has historically supported with amendments. Summary: Allows for any registered voter to vote by absentee ballot in person beginning on the twenty-first day prior to any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill makes absentee voting in person available beginning on the forty-fifth day prior to the election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting an absentee ballot by mail or in person prior to the twenty-first day before the election, including the application requirement and the list of statutory reasons for absentee voting.</p>		
<p><u>HB 1977</u> - Sullivan, Jr. (48) Voter identification; accepted forms of identification.</p>	<p>1/7/2019 House: Referred to Committee on Privileges and Elections 1/29/2019 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/5/2019 House: Left in Privileges and Elections</p>	<p>1/22/2019</p>
<p>Support (19100529D) - Board has historically supported. Summary: Adds to the list of acceptable forms of voter identification a valid student photo identification card issued by any institution of higher education located in any other state or territory of the United States. Current law allows students from any institution of higher education located in the Commonwealth to use their student photo identification cards for purposes of voting.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1994</u> - Price (95) Child care providers; fingerprint background checks.</p>	<p>1/7/2019 House: Referred to Committee on Health, Welfare and Institutions 1/17/2019 House: Reported from Health, Welfare and Institutions with amendment (22-Y 0-N) 1/17/2019 House: Referred to Committee on Appropriations 1/28/2019 House: Subcommittee recommends laying on the table (5-Y 3-N) 2/5/2019 House: Left in Appropriations</p>	<p>1/22/2019</p>
<p>Support (19102000D) - See also SB 1407 (Mason). Summary: Allows local law-enforcement agencies to process and submit requests for national fingerprint background checks required for (i) applicants for licensure as a child day center, family day home, or family day system, registration as a family day home, or approval as a family day home by a family day system; (ii) agents of an applicant for licensure as a child day center, family day home, or family day system, registration as a family day home, or approval as a family day home by a family day system at the time of application who is or will be involved in the day-to-day operations of the child day center, family day home, or family day system, or who is or will be alone with, in control of, or supervising one or more of the children; (iii) adults living in such child day center or family day home; and (iv) employees and volunteers of any child day center, family day home, or family day system licensed in accordance with the provisions of this chapter, child day center exempt from licensure, registered family day home, family day home approved by a family day system, or child day center, family day home, or child day program that enters into a contract with the Department or a local department to provide child care services funded by the Child Care and Development Block Grant.</p>		
<p><u>HB 2025</u> - Tran (42) Driver privilege cards; penalty.</p>	<p>1/7/2019 House: Referred to Committee on Transportation 1/25/2019 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/5/2019 House: Left in Transportation</p>	<p>1/22/2019</p>
<p>Support (19103137D) Summary: Authorizes the issuance of new driver privilege cards by the Department of Motor Vehicles to an applicant who (i) has reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months and (ii) is not in violation of the insurance requirements for the registration of an uninsured motor vehicle. The bill provides that driver privilege cards shall confer the same privileges and shall be subject to the same provisions as driver's licenses and permits; however, driver privilege cards shall not (a) confer voting privileges, (b) permit an individual to waive any part of the driver examination, or (c) have their issuance be contingent upon the applicant's ability to produce proof of legal presence in the United States. The bill provides for the term "driver's license" to consistently refer to all driver's licenses, permits, driver privilege cards, and special identification cards issued by the Commonwealth or the comparable law of another jurisdiction. The bill allows the issuance of a limited-duration driver's license and special identification card to an applicant presenting valid documentary evidence that a federal court or federal agency having jurisdiction over immigration has authorized the applicant to be in the United States for a period of at least 30 days from the date of application. The bill authorizes the Tax Commissioner to provide to the Commissioner of the Department of Motor Vehicles information sufficient to verify that an applicant for a driver privilege card or permit reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months. The bill has a delayed effective date of January 1, 2020.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2051 - McQuinn (70) Cemeteries; development, local ordinance.</p>	<p>1/7/2019 House: Referred to Committee on Counties, Cities and Towns 2/5/2019 House: Left in Counties, Cities and Towns</p>	<p>1/22/2019</p>
<p>Monitor (19102310D) Summary: Cemeteries; development; local ordinance. Provides that local subdivision ordinances may include certain requirements to govern the private development of land containing an existing cemetery. The bill also authorizes localities to adopt ordinances requiring that certain research in local property records be conducted prior to development to identify any cemeteries on the property.</p>		
<p>HB 2067 - Bell (87) Public employment; prohibits discrimination on basis of sexual orientation or gender identity.</p>	<p>1/7/2019 House: Referred to Committee on Rules 1/28/2019 House: Referred from Rules by voice vote 1/28/2019 House: Referred to Committee on General Laws 2/5/2019 House: Left in General Laws</p>	<p>1/22/2019</p>
<p>Support (19102588D) - Board has historically supported. Summary: Nondiscrimination in public employment. Prohibits discrimination in public employment on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran.</p>		
<p>HB 2070 - Bell (87) Energy saving products; tax deduction.</p>	<p>1/7/2019 House: Referred to Committee on Finance 1/30/2019 House: Subcommittee recommends striking from docket (7-Y 0-N) 2/5/2019 House: Left in Finance</p>	<p>1/22/2019</p>
<p>Support (19102583D) Summary: Tax deduction for energy saving products. Establishes a tax deduction for the amount a taxpayer pays for energy saving products, not to exceed \$10,000. Energy saving products are defined as being either (i) solar panels or (ii) products that meet the requirements of the Energy Star program established by the U.S. Environmental Protection Agency and the U.S. Department of Energy. To qualify for the deduction, the taxpayer must spend at least \$1,000 on energy saving products. The bill also provides that a person may not claim both this deduction and the existing deduction for certain energy efficient products during the same taxable year.</p>		
<p>HB 2084 - Watts (39) Counties, certain; additional powers that include taxation, etc.</p>	<p>1/7/2019 House: Referred to Committee on Counties, Cities and Towns 1/30/2019 House: Subcommittee recommends laying on the table (7-Y 0-N) 2/5/2019 House: Left in Counties, Cities and Towns</p>	<p>1/22/2019</p>
<p>Monitor (19101523D) - Board has historically monitored. Summary: Additional powers of certain counties. Grants counties with a population greater than 100,000 certain powers of cities and towns, including taxation, borrowing, and eligibility for highway maintenance funds. Currently, such powers are generally granted only to cities and towns.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2103 - Freitas (30) Stormwater management plans; erosion and sediment control plans, portion of project.</p>	<p>1/8/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/30/2019 House: Subcommittee recommends laying on the table (8-Y 2-N) 2/5/2019 House: Left in Agriculture, Chesapeake and Natural Resources</p>	<p>2/5/2019</p>
<p>Oppose (19104080D) Summary: Stormwater management plans; erosion and sediment control plans; portion of project. Directs the State Water Control Board to establish a procedure that allows an operator to submit stormwater management plans that are sufficient for a particular proposed land-disturbing activity without requiring such plans to cover any subsequent land-disturbing activity anticipated at the same location or an adjacent location. The bill also amends a provision of the law that is not yet effective, directing the establishment of the same procedure as it applies not only to stormwater management plans but also to erosion and sediment control plans.</p>		
<p>HB 2146 - Turpin (85) Land development; conservation or replacement of trees, local option.</p>	<p>1/8/2019 House: Referred to Committee on Counties, Cities and Towns 1/23/2019 House: Subcommittee failed to recommend reporting (3-Y 4-N) 2/5/2019 House: Left in Counties, Cities and Towns</p>	<p>1/22/2019</p>
<p>Monitor (19101980D) Summary: Land development; conservation or replacement of trees; local option. Authorizes any locality to adopt an ordinance providing for either the conservation of or the planting and replacement of trees during the land development process. Currently, only a locality within Planning District 8 with a population density of 75 persons per square mile and which is classified as an eight-hour nonattainment area for ozone under the federal Clean Air Act and Amendments of 1990, in effect as of July 1, 2008, may adopt such an ordinance for the conservation of trees and only a locality with a population density of 75 persons per square mile or within the Chesapeake Bay watershed may adopt such an ordinance for the planting and replacement of trees during the land development process.</p>		
<p>HB 2155 - Plum (36) Vehicles stopped at crosswalks; prohibition on passing.</p>	<p>1/8/2019 House: Referred to Committee on Transportation 1/29/2019 House: Subcommittee failed to recommend reporting (4-Y 6-N) 2/5/2019 House: Left in Transportation</p>	<p>1/22/2019</p>
<p>Support (19101728D) Summary: Prohibits the driver of a vehicle from overtaking and passing a vehicle stopped at a marked crosswalk to permit a pedestrian to cross the highway.</p>		
<p>HB 2189 - Kilgore (1) Local government; taxing authority.</p>	<p>1/8/2019 House: Referred to Committee on Counties, Cities and Towns 1/30/2019 House: Subcommittee recommends laying on the table (7-Y 0-N) 2/5/2019 House: Left in Counties, Cities and Towns</p>	<p>1/22/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (19101905D) - Board has historically supported. See also SB 1127 (Favola). Summary: Local government taxing authority. Equalizes municipal taxing authority and county taxing authority by granting a county the same authority available to a municipality through the uniform charter powers. The bill has a delayed effective date of July 1, 2020, prior to which the Joint Subcommittee on Local Government Fiscal Stress shall review the bill and develop recommended legislation to make any other amendments necessary to the Code of Virginia to effectuate its provisions.</p>		
<p><u>HB 2273</u> - Webert (18) Passing stopped school bus; use while passing stopped school bus.</p>	<p>1/8/2019 House: Referred to Committee for Courts of Justice 1/21/2019 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 1/25/2019 House: Reported from Courts of Justice with substitute (16-Y 0-N) 1/31/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/1/2019 Senate: Referred to Committee on Transportation 2/6/2019 Senate: Passed by indefinitely in Transportation (8-Y 5-N)</p>	<p>1/22/2019</p>
<p>Support (19100523D) Summary: Use of handheld personal communications devices in certain motor vehicles while passing stopped school bus; penalty. Imposes a mandatory fine of \$250 for using a handheld personal communications device for reading emails or texting while operating a motor vehicle and passing a stopped school bus.</p>		
<p><u>HB 2291</u> - VanValkenburg (72) School boards; local law-enforcement agencies, memorandums of understanding.</p>	<p>1/8/2019 House: Referred to Committee on Education 2/5/2019 House: Left in Education</p>	<p>1/22/2019</p>
<p>Monitor (19104117D) Summary: School boards; local law-enforcement agencies; memorandums of understanding. Requires the school board in each school division in which the local law-enforcement agency employs school resource officers to enter into a memorandum of understanding with such local law-enforcement agency that sets forth the respective roles and responsibilities of the school board and the law-enforcement agency and the roles and responsibilities of such school resource officers. The bill requires each such school board and local law-enforcement agency to (i) review the memorandum of understanding every two years or at any time upon the request of either party and may revise such memorandum at any time as agreed by the parties and (ii) ensure that all relevant personnel employed by either party are informed of and review the provisions of the memorandum of understanding, including any revisions to the memorandum of understanding. The bill also requires the Virginia Center for School and Campus Safety to develop a model memorandum of understanding that may be used by local school boards and local law-enforcement agencies to satisfy the new requirements put forth in the bill.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 2329 - Keam (35) Distributed renewable energy; promotes establishment of solar and other renewable energy.</p>	<p>1/8/2019 House: Referred to Committee on Commerce and Labor 1/31/2019 House: Failed to report (defeated) in Commerce and Labor (7-Y 8-N)</p>	<p>1/22/2019</p>
<p>Support (19103955D) Summary: Distributed renewable energy. Promotes the establishment of distributed renewable solar and other renewable energy. The measure (i) removes the one percent cap on the total amount of renewable energy that can be net metered in a utility's service territory, (ii) authorizes third-party power purchase agreements for all customer classes throughout the Commonwealth, (iii) allows local governments and certain other public bodies to install solar or wind facilities of up to five megawatts on government-owned property and use the electricity for government-owned buildings, (iv) allows all net metering customers to attribute output from a single solar array to multiple meters, (v) allows the owner of a multi-family residential building or the common areas of a condominium to install a renewable energy generation facility and sell the electricity to tenants or condominium unit owners, (vi) removes the restriction on customers installing a net-metered generation facility larger than that required to meet their previous 12 months' demand, (vii) raises the cap for net-metered nonresidential generation facilities from one megawatt to two megawatts, and (viii) removes the ability of utilities to assess standby charges. The measure also amends the Commonwealth Energy Policy to include provisions supporting distributed generation of renewable energy.</p>		
<p>HB 2359 - Jones (76) Capital outlay plan; updates six-year plan for projects.</p>	<p>1/8/2019 House: Referred to Committee on Appropriations 2/5/2019 House: Left in Appropriations</p>	<p>1/22/2019</p>
<p>Support (19103644D) - The County supports funding for a Northern Virginia Regional Science Center which is included in the capital outlay plan. Summary: Capital outlay plan. Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.</p>		
<p>HB 2421 - Levine (45) Discrimination; sexual orientation and gender identity.</p>	<p>1/8/2019 House: Referred to Committee on Rules 1/28/2019 House: Referred from Rules by voice vote 1/28/2019 House: Referred to Committee on General Laws 2/5/2019 House: Left in General Laws</p>	<p>1/22/2019</p>
<p>Support (19100256D) - Board has historically supported. Summary: Prohibited discrimination; sexual orientation and gender identity. Prohibits discrimination in employment, public accommodation, public contracting, apprenticeship programs, housing, banking, and insurance on the basis of sexual orientation or gender identity. The bill codifies existing prohibited discrimination in public employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran and adds discrimination based on sexual orientation or gender identity to the list of unlawful discriminatory housing practices. The bill contains technical amendments.</p>		

Bills	General Assembly Actions	Date of BOS Position
HB 2451 - Bell (20) Certificate of public need; nursing homes and hospitals, disaster exemption.	1/9/2019 House: Referred to Committee on Health, Welfare and Institutions 1/31/2019 House: Tabled in Health, Welfare and Institutions (22-Y 0-N)	1/22/2019
<p>Support (19101416D) - See also HB 1870 (Sickles) and SB 1277 (Barker). Summary: Certificate of public need; nursing homes and hospitals; disaster exemption. Provides for a 30-day exemption from the requirement to obtain a certificate of public need for an increase in the total number of beds in nursing homes or hospitals if the State Health Commissioner has determined that a natural or man-made disaster has caused the evacuation of nursing homes or hospitals and that a public health emergency exists due to a shortage of nursing home or hospital beds.</p>		
HB 2458 - Landes (25) Early childhood care and education; establishment, licensure.	1/9/2019 House: Referred to Committee on Education 1/21/2019 House: Subcommittee recommends reporting with substitute (6-Y 1-N) 1/21/2019 House: Subcommittee recommends referring to Committee on Appropriations 1/23/2019 House: Reported from Education with substitute (20-Y 1-N) 1/23/2019 House: Referred to Committee on Appropriations 2/5/2019 House: Left in Appropriations	1/22/2019
<p>Monitor (19102705D) - See also SB 1095 (Howell). Summary: Early childhood care and education; licensing. Requires the Board of Education to establish a statewide unified public-private system for early childhood care and education in the Commonwealth to be administered by the Board of Education, the Superintendent of Public Instruction, and the Department of Education. The bill transfers the authority to license and regulate child day programs and other early child care agencies from the Board of Social Services and Department of Social Services to the Board of Education and the Department of Education. The bill maintains current licensure, background check, and other requirements of such programs. The bill establishes the Early Childhood Innovation Fund for the purpose of facilitating regional public-private collaboration and to field test innovative strategies and evidence-based practices that support a robust system of comprehensive early childhood care and education services to deliver measurable school readiness outcomes and meet regional workforce support needs. Such provisions of the bill have a delayed effective date of July 1, 2021.</p>		
HB 2466 - Roem (13) State Route 28; Department of Transportation to study.	1/9/2019 House: Referred to Committee on Rules 2/5/2019 House: Left in Rules	1/22/2019
<p>Monitor (19102854D) Summary: Department of Transportation to study State Route 28; report. Directs the Department of Transportation to study the feasibility of implementing improvements to State Route 28 in Prince William County between the City of Manassas Park and Fairfax County.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 2467 - Roem (13) State Route 28; Department of Transportation to study.	1/9/2019 House: Referred to Committee on Rules 1/29/2019 House: Subcommittee recommends striking from docket (7-Y 0-N) 2/5/2019 House: Left in Rules	1/22/2019
Amend (19102882D) - Amend limits of study to remove segments in Fairfax County. Summary: Department of Transportation to study State Route 28; report. Directs the Department of Transportation to study the feasibility of implementing improvements to State Route 28 between the City of Manassas Park and State Route 29 in Fairfax County.		
HB 2468 - Roem (13) State Route 28; Department of Transportation to study.	1/9/2019 House: Referred to Committee on Rules 1/29/2019 House: Subcommittee recommends striking from docket (7-Y 0-N) 2/5/2019 House: Left in Rules	1/22/2019
Amend (19102971D) - Amend limits of study to remove segments in Fairfax County. Summary: Department of Transportation to study State Route 28; report. Directs the Department of Transportation to study the feasibility of implementing improvements to State Route 28 between U.S. Route 15 in Fauquier County and State Route 29 in Fairfax County.		
HB 2495 - Tran (42) Fall cankerworm; spraying prohibited during certain months.	1/9/2019 House: Referred to Committee on Counties, Cities and Towns 1/24/2019 House: Subcommittee recommends laying on the table (5-Y 4-N) 2/5/2019 House: Left in Counties, Cities and Towns	1/22/2019
Oppose (19104098D) Summary: Prohibits localities from spraying pesticides intended to suppress an infestation of the fall cankerworm during the period between March 1 and August 1.		
HB 2504 - Murphy (34) Protective orders; possession of firearms, penalties.	1/9/2019 House: Referred to Committee for Courts of Justice 2/5/2019 House: Left in Courts of Justice	1/22/2019
Support (19103833D) Summary: Protective orders; possession of firearms; penalties. Provides that it is a Class 6 felony for a person who is subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) for subjecting another person to an act of violence, force, or threat to possess a firearm while the order is in effect. This penalty is equivalent to the existing penalty for possession of a firearm by a person subject to a permanent protective order for family abuse. The bill also provides that such person may continue to possess and transport a firearm for 24 hours after being served with the order for the purposes of selling or transferring the firearm to another person. The bill requires that any person who is prohibited from possessing a firearm because he is subject to a permanent protective order certify in writing to the clerk of the court that issued the order within 48 hours after being served with the order that any firearm in his possession has been sold or transferred. The bill provides that failure to file such certification is a Class 1 misdemeanor.		

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2506</u> - Hodges (98) Chesapeake Bay Preservation Areas; filling low-lying areas.</p>	<p>1/9/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/30/2019 House: Subcommittee recommends striking from docket (10-Y 0-N) 2/5/2019 House: Left in Agriculture, Chesapeake and Natural Resources</p>	<p>2/5/2019</p>
<p>Oppose (19104058D) Summary: Directs the State Water Control Board to adopt regulations allowing the owner of residential property in a Chesapeake Bay Preservation Area to deposit appropriate fill material in certain low-lying areas within 50 landward feet of a resource protection area (RPA) located on the property. The bill establishes certain provisions that the regulations shall contain and provides that no filling that is carried out in compliance with such regulations shall (i) be considered a land-disturbing activity for purposes of stormwater management and erosion and sediment control, (ii) require a Virginia Water Protection Permit, or (iii) require a permit from the Virginia Marine Resources Commission. The bill also authorizes certain localities to adopt ordinances establishing a local permit process for projects that disturb less than one acre, and it requires projects that disturb one acre or more of land to follow general permit requirements established in statute.</p>		
<p><u>HB 2510</u> - Hugo (40) Judges; maximum number in nineteenth judicial district.</p>	<p>1/9/2019 House: Referred to Committee for Courts of Justice 1/28/2019 House: Subcommittee recommends reporting (8-Y 0-N) 1/28/2019 House: Subcommittee recommends referring to Committee on Appropriations 1/30/2019 House: Reported from Courts of Justice (18-Y 0-N) 1/30/2019 House: Referred to Committee on Appropriations 2/1/2019 House: Subcommittee recommends laying on the table (6-Y 1-N) 2/5/2019 House: Left in Appropriations</p>	<p>1/22/2019</p>
<p>Support (19101667D) - See also SB 1121 (Petersen). Summary: Maximum number of judges in each judicial district. Increases from 11 to 12 the maximum number of authorized general district court judgeships in the nineteenth judicial district. This bill is a recommendation of the Committee on District Courts.</p>		
<p><u>HB 2513</u> - Hugo (40) Workers' compensation; occupation disease presumptions, PTSD.</p>	<p>1/9/2019 House: Referred to Committee on Commerce and Labor 1/29/2019 House: Subcommittee recommends reporting (5-Y 3-N) 1/29/2019 House: Subcommittee recommends referring to Committee on Appropriations 1/31/2019 House: Reported from Commerce and Labor (15-Y 4-N) 1/31/2019 House: Referred to Committee on Appropriations 2/5/2019 House: Left in Appropriations</p>	<p>2/5/2019</p>
<p>Support (19102118D) - Also support the Joint Legislative Audit and Review Commission's comprehensive study of workers' compensation. Summary: Workers' compensation; occupation disease presumptions; PTSD. Establishes a presumption that if certain firefighters, law-enforcement officers, hazardous materials officers, animal protection police officers, or 9-1-1 emergency call takers, dispatchers, or similarly situated employees (i) receive a diagnosis of post-traumatic stress disorder (PTSD) from a licensed physician, licensed clinical psychologist, licensed</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>professional counselor, or licensed clinical social worker; (ii) suffer death or any impairment resulting in total or partial disability from work caused by the PTSD; and (iii) receive a statement from such a provider that the PTSD was caused by a single critical event or multiple exposures to critical events that occurred in the course of the employment, then the PTSD is an occupational disease, suffered in the line of duty, that is covered by the Virginia Workers' Compensation Act unless such presumption is overcome by a preponderance of competent evidence to the contrary. The measure provides that a "critical event" includes an event that results in serious injury or death to an individual; deals with a minor who has been injured, killed, abused, exploited, or a victim of a crime; deals with mass casualties; results in injury to or the death of a coworker; involves an immediate threat to the life of the claimant or another individual; or involves the abuse, cruelty, injury, exploitation, or death of an animal.</p>		
<p><u>HB 2549</u> - Jones (76) Cluster zoning; density calculation.</p>	<p>1/9/2019 House: Referred to Committee on Counties, Cities and Towns 1/30/2019 House: Subcommittee recommends reporting with amendment (8-Y 0-N) 2/1/2019 House: Reported from Counties, Cities and Towns with amendment (21-Y 0-N) 2/5/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/6/2019 Senate: Referred to Committee on Local Government 2/12/2019 Senate: Reported from Local Government with amendments (10-Y 2-N) 2/24/2019 Senate: No further action taken 2/24/2019 Senate: Failed to pass in Senate</p>	<p>2/19/2019 2/5/2019</p>
<p>Monitor (19104091D-E) - Bill amended to make provisions permissive and to add a reenactment clause. Oppose (19104091D) Summary: Prohibits localities from including areas designated as Resource Protection Areas in accordance with the State Water Control Board in a cluster zoning density calculation and provides that nothing in the statute shall require a locality to allow a greater overall density for a clustered development than would be required on a non-clustered development.</p>		
<p><u>HB 2643</u> - Delaney (67) Interstate 66; limits to \$15 the tolls collected on the tolled portion.</p>	<p>1/10/2019 House: Referred to Committee on Transportation 1/24/2019 House: Subcommittee recommends reporting (6-Y 1-N) 1/29/2019 House: Referred from Transportation by voice vote 1/29/2019 House: Referred to Committee on Appropriations 2/1/2019 House: Subcommittee recommends laying on the table (7-Y 0-N) 2/5/2019 House: Left in Appropriations</p>	<p>1/22/2019</p>
<p>Oppose (19103674D) - Including a maximum fee would impact the traffic flow on I-66 Inside the Beltway and may impact the Concessionaire contract on I-66 Outside the Beltway. Summary: Tolling on Interstate 66. Limits to \$15 the tolls collected on the tolled portion of Interstate 66 east of mile marker 67. The bill expands the limitation to the tolled portion of Interstate 66 east of mile marker 43 upon completion of the Transform 66 Outside the Beltway project.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2736 - Hugo (40) Local employee grievance procedure; qualifying grievances by local government employees.</p>	<p>1/16/2019 House: Referred to Committee on Counties, Cities and Towns 2/5/2019 House: Left in Counties, Cities and Towns</p>	<p>1/22/2019</p>
<p>Oppose (19104660D) - Board has historically opposed. Summary: Local employee grievance procedure. Provides that qualifying grievances by local government employees shall advance to a final step as agreed upon by the aggrieved and the local government; however, if an agreement cannot be reached on whether to use a panel hearing or hearing officer, a three-person panel shall be used. The bill contains technical amendments.</p>		
<p>HJ 577 - Rasoul (11) United States Constitution; ratifies Equal Rights Amendment.</p>	<p>7/20/2018 House: Referred to Committee on Privileges and Elections 1/22/2019 House: Subcommittee recommends passing by indefinitely (4-Y 2-N) 2/5/2019 House: Left in Privileges and Elections</p>	<p>1/22/2019</p>
<p>Support (19100132D) - Board has historically supported. See also HJ 583 (Ward). Summary: Constitution of the United States; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
<p>HJ 579 - Foy (2) United States Constitution; ratifies Equal Rights Amendment.</p>	<p>8/13/2018 House: Referred to Committee on Privileges and Elections 1/22/2019 House: Subcommittee recommends passing by indefinitely (4-Y 2-N) 2/5/2019 House: Left in Privileges and Elections</p>	<p>1/22/2019</p>
<p>Support (19100231D) - Board has historically supported. Summary: Constitution of the United States; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
<p>HJ 583 - Ward (92) United States Constitution; ratifies Equal Rights Amendment.</p>	<p>10/8/2018 House: Referred to Committee on Privileges and Elections 1/22/2019 House: Subcommittee recommends passing by indefinitely (4-Y 2-N) 2/5/2019 House: Left in Privileges and Elections</p>	<p>1/22/2019</p>
<p>Support (19100546D) - Board has historically supported. See also HJ 577 (Rasoul). Summary: Constitution of the United States; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HJ 643 - Webert (18) Composite index of local ability to pay; DOE to study effect of local use value assessment.</p>	<p>1/7/2019 House: Referred to Committee on Rules 1/29/2019 House: Subcommittee recommends striking from docket (7-Y 0-N) 2/5/2019 House: Left in Rules</p>	<p>1/22/2019</p>
<p>Oppose (19100976D) - Board has historically opposed. Rather than modifying individual components of the LCI formula, a comprehensive approach should be taken, including addressing factors relating to cost of living. Summary: Study; Department of Education; effect of local use value assessment of certain real estate on the composite index of local ability to pay; report. Requests the Department of Education to (i) determine, for each of the 95 localities that have adopted ordinances to provide for the use value assessment and taxation of certain real estate, the use value of all applicable real estate devoted to (a) agricultural use, (b) horticultural use, (c) forest use, and (d) open-space use, as those terms are defined in the Code of Virginia, and (ii) recalculate the composite index of local ability to pay for each such locality after taking into consideration such use values.</p>		
<p>HJ 657 - Pogge (96) Constitutional amendment; real property tax exemption, surviving spouse of a disabled veteran.</p>	<p>1/8/2019 House: Referred to Committee on Privileges and Elections 1/28/2019 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/1/2019 House: Stricken from docket by Privileges and Elections (21-Y 1-N)</p>	<p>1/22/2019</p>
<p>Amend (19101855D) - Amend to support as a state tax credit. For similar constitutional amendments, the Board has historically sought to amend to support as a state tax credit. Summary: Constitutional amendment (first resolution); real property tax exemption; surviving spouse of a disabled veteran; date of veteran's disability and death. Provides that, as of January 1, 2021, the real property tax exemption for the surviving spouse of a 100 percent disabled veteran shall apply regardless of whether the disabled veteran died prior to January 1, 2011. Under the current constitutional real property tax exemption, if a veteran received a 100 percent disability rating and died prior to January 1, 2011, his surviving spouse is not eligible for the exemption pursuant to state statutory law.</p>		
<p>SB 998 - Ebbin (30) Public employment; prohibits discrimination on basis of sexual orientation or gender identity.</p>	<p>7/16/2018 Senate: Referred to Committee on General Laws and Technology 1/14/2019 Senate: Reported from General Laws and Technology (11-Y 3-N) 1/18/2019 Senate: Read third time and passed Senate (28-Y 12-N) 1/22/2019 House: Referred to Committee on Rules 2/12/2019 House: Referred from Rules by voice vote 2/12/2019 House: Referred to Committee on General Laws 2/19/2019 House: Left in General Laws</p>	<p>1/22/2019</p>
<p>Support (19100117D) - Board has historically supported. Summary: Nondiscrimination in public employment. Prohibits discrimination in public employment on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1013</u> - Stanley, Jr. (20) Driver's license; suspension for nonpayment of fines or costs.</p>	<p>8/3/2018 Senate: Referred to Committee for Courts of Justice 1/14/2019 Senate: Incorporates SB 1310 (Edwards) 1/14/2019 Senate: Incorporates SB 1612 (Ebbin) 1/14/2019 Senate: Reported from Courts of Justice with substitute (13-Y 0-N 1-A) 1/14/2019 Senate: Re-referred to Finance 1/22/2019 Senate: Reported from Finance with amendment (15-Y 1-N) 1/25/2019 Senate: Read third time and passed Senate (36-Y 4-N) 1/29/2019 House: Referred to Committee for Courts of Justice 2/11/2019 House: Subcommittee recommends passing by indefinitely (4-Y 3-N) 2/19/2019 House: Left in Courts of Justice</p>	<p>2/19/2019</p>
<p>Support (19104813D-ES1) - Board has historically supported concept of alternatives to driver's license suspension to address non-payment of court fines and costs. Summary: Suspension of driver's license for nonpayment of fines or costs. Repeals the requirement that the driver's license of a person convicted of any violation of the law who fails or refuses to provide for immediate payment of fines or costs be suspended. The bill also removes a provision allowing the court to require a defendant to present a summary prepared by the Department of Motor Vehicles of the other courts in which the defendant also owes fines and costs. The bill requires the Commissioner of the Department of Motor Vehicles to return or reinstate any person's driver's license that was suspended prior to July 1, 2019, solely for nonpayment of fines or costs, provided that such person has paid the applicable reinstatement fee. The provisions of the bill are contingent upon funding in a general appropriation act. This bill incorporates SB 1310 and SB 1612.</p>		
<p><u>SB 1035</u> - Locke (2) Absentee voting; no-excuse absentee.</p>	<p>10/30/2018 Senate: Referred to Committee on Privileges and Elections 1/29/2019 Senate: Incorporated by Privileges and Elections (SB 1026-Spruill) (14-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19100414D) - Board has historically supported. See also HB 1641 (Herring), SB 1026 (Spruill), and SB 1672 (Locke). Summary: Permits any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons under which a person may be entitled to vote by absentee ballot and removes references to those reasons from other sections of the Code.</p>		
<p><u>SB 1058</u> - Favola (31) Companion animals; care, local ordinances.</p>	<p>12/6/2018 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/6/2019 Senate: Left in Agriculture, Conservation and Natural Resources</p>	<p>1/22/2019</p>
<p>Support (19100755D) Summary: Companion animals; care; local ordinances. Authorizes any locality to adopt an ordinance that parallels and makes more stringent the state law regarding the care of companion animals.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1075</u> - Howell (32) Absentee voting; no-excuse in-person available 21 days prior to election.</p>	<p>12/13/2018 Senate: Referred to Committee on Privileges and Elections 1/29/2019 Senate: Incorporated by Privileges and Elections (SB 1026-Spruill) (14-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support with Amendment (19100722D) - Support with amendments to facilitate implementation. Board has historically supported with amendments. Summary: Allows for any registered voter to vote by absentee ballot in person beginning on the twenty-first day prior to any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill makes absentee voting in person available beginning on the forty-fifth day prior to the election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting an absentee ballot by mail or in person prior to the twenty-first day before the election, including the application requirement and the list of statutory reasons for absentee voting.</p>		
<p><u>SB 1078</u> - Howell (32) Protective orders; possession of firearms, penalty.</p>	<p>12/13/2018 Senate: Referred to Committee for Courts of Justice 1/21/2019 Senate: Reported from Courts of Justice with substitute (14-Y 0-N 1-A) 1/21/2019 Senate: Re-referred to Finance 2/6/2019 Senate: Left in Finance</p>	<p>1/22/2019</p>
<p>Support (19100829D) Summary: Protective orders; possession of firearms; penalty. Provides that it is a Class 6 felony for a person who is subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) for subjecting another person to an act of violence, force, or threat to possess a firearm while the order is in effect, which is equivalent to the existing penalty for possession of a firearm by a person subject to a permanent protective order for family abuse. The bill also provides that such person may continue to possess and transport a firearm for 24 hours after being served with the order for the purposes of selling or transferring the firearm to another person.</p>		
<p><u>SB 1095</u> - Howell (32) Early childhood care and education; establishment, licensure.</p>	<p>1/7/2019 Senate: Referred to Committee on Education and Health 1/17/2019 Senate: Incorporates SB 1313 (Dunnivant) 1/17/2019 Senate: Reported from Education and Health with substitute (10-Y 2-N 1-A) 1/17/2019 Senate: Re-referred to Finance 1/29/2019 Senate: Reported from Finance with substitute (16-Y 0-N) 2/4/2019 Senate: Committee substitute rejected 19105234D-S1 2/4/2019 Senate: Committee substitute rejected 19105994D-S2 2/4/2019 Senate: Substitute by Senator Hanger agreed to 19106231D-S3 2/4/2019 Senate: Passed Senate (37-Y 2-N 1-A) 2/6/2019 House: Referred to Committee on Education 2/11/2019 House: Subcommittee recommends reporting (6-Y 1-N) 2/11/2019 House: Subcommittee recommends referring to Committee on Appropriations 2/13/2019 House: Reported from Education (21-Y 1-N) 2/13/2019 House: Referred to Committee on Appropriations 2/19/2019 House: Left in Appropriations</p>	<p>1/22/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (19102558D) - See also HB 2458 (Landes). Summary: Superintendent of Public Instruction and Commissioner of Social Services; early childhood care and education. Requires the Superintendent of Public Instruction and the Commissioner of Social Services to (i) convene a stakeholder group to consider the development of a statewide unified public-private system for early childhood care and education in the Commonwealth and (ii) collaborate to develop a uniform quality rating and improvement system with required participation by publicly funded early childhood care and education programs and voluntary participation by privately funded providers.</p>		
<p>SB 1104 - Peake (22) Community policy and management teams; use of funds.</p>	<p>12/21/2018 Senate: Referred to Committee on Finance 1/29/2019 Senate: Reported from Finance with substitute (16-Y 0-N) 2/1/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Appropriations 2/12/2019 House: Subcommittee recommends passing by indefinitely (8-Y 0-N) 2/19/2019 House: Left in Appropriations</p>	<p>2/19/2019</p>
<p>Support (19106004D-S1) Summary: Provides that the state pool of funds for community policy and management teams may be used for wrap-around services, as defined in the Policy Manual of the Children's Services Act and subject to specific appropriation, that are provided in a public school setting. The bill requires the Office of Children's Services to report annually to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance regarding the use of wrap-around services in public school settings.</p>		
<p>SB 1121 - Petersen (34) Judges; maximum number in nineteenth judicial district.</p>	<p>12/26/2018 Senate: Referred to Committee for Courts of Justice 1/14/2019 Senate: Reported from Courts of Justice (13-Y 0-N) 1/17/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/21/2019 House: Referred to Committee for Courts of Justice 2/11/2019 House: Reported from Courts of Justice (18-Y 0-N) 2/11/2019 House: Referred to Committee on Appropriations 2/14/2019 House: Subcommittee recommends passing by indefinitely (4-Y 2-N) 2/19/2019 House: Left in Appropriations</p>	<p>1/22/2019</p>
<p>Support (19102862D) - See also HB 2510 (Hugo). Summary: Maximum number of judges in each judicial district. Increases from 11 to 12 the maximum number of authorized general district court judgeships in the nineteenth judicial district. This bill is a recommendation of the Committee on District Courts.</p>		
<p>SB 1127 - Favola (31) Local government taxing authority; equalizes municipal and county taxing authorities.</p>	<p>12/28/2018 Senate: Referred to Committee on Local Government 1/15/2019 Senate: Re-referred to Finance 1/23/2019 Senate: Passed by indefinitely in Finance (13-Y 3-N)</p>	<p>1/22/2019</p>
<p>Support (19103307D) - Board has historically supported. See also HB 2189 (Kilgore). Summary: Local government taxing authority. Equalizes municipal taxing authority and county taxing authority by granting a county the same authority available to a municipality through the uniform charter powers. The bill has a delayed effective date of July 1, 2020, prior to which the Division of Legislative Services is directed to convene a working group to develop recommendations as to what additional legislative changes are needed to effectuate the provisions of the bill.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1129 - Locke (2) Food stamps and TANF; eligibility, drug-related felonies.</p>	<p>12/29/2018 Senate: Referred to Committee on Rehabilitation and Social Services 1/25/2019 Senate: Reported from Rehabilitation and Social Services with substitute (12-Y 1-N 1-A) 1/25/2019 Senate: Re-referred to Finance 1/29/2019 Senate: Reported from Finance with amendment (16-Y 0-N) 2/1/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/1/2019 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/1/2019 Senate: Passed Senate (21-Y 19-N) 2/6/2019 House: Referred to Committee on Appropriations 2/11/2019 House: Reported from Appropriations with substitute (22-Y 0-N) 2/13/2019 House: Motion to refer to committee agreed to (50-Y 45-N) 2/13/2019 House: Referred to Committee for Courts of Justice 2/19/2019 House: Left in Courts of Justice</p>	<p>1/22/2019</p>
<p>Support (19102418D) - Board has historically supported. See also HB 1891 (James). Summary: Eligibility for food stamps and TANF; drug-related felonies. Provides that a person who is otherwise eligible to receive food stamp benefits or Temporary Assistance for Needy Families shall not be denied such assistance solely because he has been convicted of any drug-related felony, provided that such person is complying with, or has already complied with, all obligations imposed by the criminal court, is actively engaged in or has completed a substance abuse treatment program, participates in periodic drug screenings, and fulfills any other obligations as determined by the Department of Social Services. Under current law, such individuals may not be denied food stamp benefits based on a felony conviction of possession of a controlled substance. The provisions of the bill are contingent on funding in a general appropriation act.</p>		
<p>SB 1198 - Dance (16) Absentee voting; no excuse required when voting in person.</p>	<p>1/3/2019 Senate: Referred to Committee on Privileges and Elections 1/29/2019 Senate: Incorporated by Privileges and Elections (SB 1026-Spruill) (14-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19101559D) - Board has historically supported. Summary: Provides that any registered voter may vote by absentee ballot in person in any election in which he is qualified to vote without providing a reason for being unable to vote in person on election day. The bill retains the statutory list of reasons allowing a voter to cast an absentee ballot by mail.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>SB 1262 - Sturtevant, Jr. (10) Localities and school divisions; posting of register of funds expended.</p>	<p>1/6/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Reported from Local Government with amendments (9-Y 4-N) 2/4/2019 Senate: Read third time and passed Senate (23-Y 17-N) 2/6/2019 House: Referred to Committee on Counties, Cities and Towns 2/13/2019 House: Subcommittee recommends passing by indefinitely (6-Y 2-N) 2/19/2019 House: Left in Counties, Cities and Towns</p>	<p>2/19/2019 1/22/2019</p>
<p>Monitor (19103271D-E) - Bill was amended to exclude posting of other material prohibited by law and material related to confidential settlements or contracts. Amend (19103271D) - Amend to allow flexibility to exclude personally identifiable information of constituents and employees; Board has historically recommended amendment. See also HB 1907 (VanValkenburg).</p> <p>Summary: Requires every locality with a population greater than 25,000 and each school division with greater than 5,000 students to post quarterly on the public government website of such locality or school division a register of all funds expended, showing vendor name, date of payment, amount, and a description of the type of expense, including credit card purchases with the same information. The bill allows any locality or school division to exclude from such posting any information that is exempt from mandatory disclosure under the Virginia Freedom of Information Act, any personal identifying information related to a court-ordered payment, any information related to undercover law-enforcement officers, and any information related to a settlement or contract that contains a confidentiality clause. The bill has a delayed effective date of July 1, 2020.</p>		
<p>SB 1323 - Hanger, Jr. (24) Capital outlay plan; updates six-year plan for projects.</p>	<p>1/7/2019 Senate: Referred to Committee on Finance 1/15/2019 Senate: Reported from Finance with amendments (15-Y 1-N) 1/18/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/22/2019 House: Referred to Committee on Appropriations 2/19/2019 House: Left in Appropriations</p>	<p>1/22/2019</p>
<p>Support (19103643D-E) - The County supports funding for a Northern Virginia Regional Science Center which is included in the capital outlay plan.</p> <p>Summary: Capital outlay plan. Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.</p>		
<p>SB 1369 - Norment, Jr. (3) Virginia Public Procurement Act; statute of limitations on actions on construction contracts, etc.</p>	<p>1/8/2019 Senate: Referred to Committee on General Laws and Technology 1/21/2019 Senate: Re-referred to Courts of Justice (SCT) 1/28/2019 Senate: Reported from SCT with substitute (13-Y 0-N 1-A) 1/28/2019 Senate: Re-referred to Finance 1/31/2019 Senate: Reported from Finance (15-Y 0-N 1-A) 2/5/2019 Senate: Passed Senate (39-Y 0-N 1-A) 2/13/2019 House: Referred to Committee for Courts of Justice 2/15/2019 House: Reported from Courts of Justice (11-Y 4-N) 2/15/2019 House: Referred to Committee on Appropriations 2/18/2019 House: Subcommittee recommends passing by indefinitely (6-Y 0-N) 2/19/2019 House: Left in Appropriations</p>	<p>1/22/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Oppose (19101482D) - See also HB 1667 (Kilgore). Summary: Virginia Public Procurement Act; statute of limitations on actions on construction contracts; statute of limitations on actions on performance bonds. Provides that no action may be brought by a public body on any construction contract, including construction management and design-build contracts, unless such action is brought within five years after substantial completion of the work on the project and that no action may be brought by a public body on a warranty or guarantee in such construction contract more than one year from the breach of that warranty, but in no event more than one year after the expiration of such warranty or guarantee. The bill also limits the time frame during which a public body, other than the Department of Transportation, may bring an action against a surety on a performance bond to within one year after substantial completion of the work on the project. Current law allows a public body, other than the Department of Transportation, to bring such an action within one year after (i) completion of the contract, including the expiration of all warranties and guarantees, or (ii) discovery of the defect or breach of warranty that gave rise to the action.</p>		
<p>SB 1404 - Petersen (34) Eminent domain; costs for petition for distribution of funds, interest rate.</p>	<p>1/8/2019 Senate: Referred to Committee for Courts of Justice 1/14/2019 Senate: Reported from Courts of Justice with amendments (10-Y 2-N 1-A) 1/17/2019 Senate: Read third time and passed Senate (39-Y 1-N) 1/21/2019 House: Referred to Committee for Courts of Justice 2/11/2019 House: Subcommittee recommends reporting with amendments (8-Y 0-N) 2/15/2019 House: Reported from Courts of Justice with amendments (17-Y 0-N) 2/20/2019 House: Passed House with amendments BLOCK VOTE (100-Y 0-N) 2/21/2019 House: House insisted on amendments 2/21/2019 House: House requested conference committee 2/21/2019 Senate: Senate acceded to request (39-Y 0-N) 2/21/2019 Senate: Conferees appointed by Senate: Senators: Petersen, Obenshain, Stanley 2/21/2019 House: Conferees appointed by House: Delegates: Bell, Robert B., Leftwich, Miyares, Toscano 2/21/2019 Senate: House amendments rejected by Senate (2-Y 37-N) 2/24/2019 Senate: No further action taken 2/24/2019 Senate: Failed to pass in Senate</p>	<p>1/22/2019</p>
<p>Monitor (19102876D-E) Summary: Eminent domain; costs for petition for distribution of funds; interest rate; recordation of certificate. Provides that the costs of filing a petition with the court for the distribution of the funds due pursuant to an eminent domain proceeding shall be taxed against the condemnor. The bill also provides that the interest rate on the funds represented by a certificate of deposit from the date of filing of the certificate until the funds are paid into the court shall not be less than the judgment rate of interest. Finally, the bill reorganizes for clarity the provisions governing what happens upon recordation of a certificate by the Commissioner of Highways in a condemnation proceeding.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1456 - McClellan (9) Distributed renewable energy; promotes establishment of solar and other renewable energy.</p>	<p>1/8/2019 Senate: Referred to Committee on Commerce and Labor 1/28/2019 Senate: Passed by indefinitely in Commerce and Labor (10-Y 3-N)</p>	<p>1/22/2019</p>
<p>Support (19103827D) Summary: Distributed renewable energy. Promotes the establishment of distributed renewable solar and other renewable energy. The measure (i) removes the one percent cap on the total amount of renewable energy that can be net metered in a utility's service territory, (ii) authorizes third-party power purchase agreements for all customer classes throughout the Commonwealth, (iii) allows local governments and certain other public bodies to install solar or wind facilities of up to five megawatts on government-owned property and use the electricity for government-owned buildings, (iv) allows all net metering customers to attribute output from a single solar array to multiple meters, (v) allows the owner of a multi-family residential building or the common areas of a condominium to install a renewable energy generation facility and sell the electricity to tenants or condominium unit owners, (vi) removes the restriction on customers installing a net-metered generation facility larger than that required to meet their previous 12 months' demand, (vii) raises the cap for net-metered nonresidential generation facilities from one megawatt to two megawatts, and (viii) removes the ability of utilities to assess standby charges. The measure also amends the Commonwealth Energy Policy to include provisions supporting distributed generation of renewable energy.</p>		
<p>SB 1467 - Saslaw (35) Protective orders; possession of firearms, surrender or transfer of firearms, penalties.</p>	<p>1/8/2019 Senate: Referred to Committee for Courts of Justice 1/28/2019 Senate: Passed by indefinitely in Courts of Justice (8-Y 6-N)</p>	<p>1/22/2019</p>
<p>Support (19103735D) Summary: Provides that a court shall order a person subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) to (i) within 24 hours, surrender any firearm possessed by such person to a designated local law-enforcement agency, sell or transfer any firearm possessed by such person to a dealer, or sell or transfer any firearm possessed by such person to any person who is not otherwise prohibited by law from possessing such firearm, provided that such person will not allow the person subject to a protective order to exert any influence or control over the sold or transferred firearm, or (ii) certify in writing that such person does not possess any firearms and file such certification with the clerk of the court that entered the protective order within 48 hours after being served with a protective order. The bill provides that within 48 hours after surrendering or selling or transferring all firearms, such person must certify in writing that all firearms possessed by such person have either been surrendered or sold or transferred and file such certification with the clerk of the court that entered the protective order. The bill also provides that any person subject to a protective order who fails to certify in writing that all firearms possessed by such person have either been surrendered or sold or transferred or that such person does not possess any firearms is guilty of a Class 1 misdemeanor. The bill provides procedures for designating a local law-enforcement agency to receive and store firearms as well as a process to return such surrendered firearms. The bill also provides that any person who buys or has a firearm transferred to him from a person subject to a permanent protective order and allows the person subject to a protective order to exert any influence or control over the sold or transferred firearm is guilty of a Class 1 misdemeanor.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1471 - Hanger, Jr. (24) Computation of composite index; land-use assessment value.</p>	<p>1/8/2019 Senate: Referred to Committee on Finance 1/31/2019 Senate: Passed by indefinitely in Finance (16-Y 0-N)</p>	<p>1/22/2019</p>
<p>Oppose (19102935D) - Board has historically opposed. Rather than modifying individual components of the LCI formula, a comprehensive approach should be taken, including addressing factors relating to cost of living. This bill would result in the shifting of funds from urban to rural localities; Fairfax County Public Schools estimates that it would lose more than \$7.6 million.</p> <p>Summary: Education; computation of composite index; land-use assessment value. Requires the General Assembly to modify the current standards of quality funding formula and the calculation of composite index of local ability to pay to incorporate within the real estate indicator of local wealth the land-use assessment value for those properties located within a land-use plan.</p>		
<p>SB 1476 - Deeds (25) School bus video-monitoring systems; release of information by DMV.</p>	<p>1/8/2019 Senate: Referred to Committee on Transportation 1/23/2019 Senate: Incorporated by Transportation (SB 1520-Carrico) (13-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19101967D) - Board has historically supported.</p> <p>Summary: School bus video-monitoring systems; release of information by the Department of Motor Vehicles. Authorizes the Department of Motor Vehicles to release vehicle owner data of a vehicle that failed to stop for a stopped school bus upon request of a video-monitoring system operator or upon request of the authorized agent or employee of a video-monitoring system operator.</p>		
<p>SB 1545 - Sturtevant, Jr. (10) Public schools; alternative accountability process.</p>	<p>1/8/2019 Senate: Referred to Committee on Education and Health 1/24/2019 Senate: Reported from Education and Health with substitute (15-Y 0-N) 1/29/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/4/2019 House: Referred to Committee for Courts of Justice 2/15/2019 House: Subcommittee recommends passing by indefinitely (5-Y 2-N) 2/19/2019 House: Left in Courts of Justice</p>	<p>2/19/2019 1/22/2019</p>
<p>Monitor (19105747D-S1) - Bill has been amended to eliminate impact to the County's existing Alternative Accountability Program. Amend (19103322D) - Amend to ensure the bill does not impact the County's existing Alternative Accountability Program.</p> <p>Summary: Allows a school board to adopt an alternative accountability process to provide a principal and parties involved in an incident involving assault or assault and battery without bodily injury that occurs on a school bus, on school property, or at a school-sponsored event an option to enter into a mutually agreed upon process between the involved parties as an alternative to reporting such incident to law enforcement. The bill provides that a principal in a school division with such an alternative accountability process may attempt to engage the parties involved in such an incident in the process prior to reporting such incident to the local law-enforcement agency and prohibits, if provided for by the school board, a principal from reporting a party who successfully completes the alternative accountability process.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1553</u> - Surovell (36) Urban county executive form of government; abandoned shopping carts.</p>	<p>1/8/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Reported from Local Government with substitute (8-Y 2-N) 2/4/2019 Senate: Read third time and passed Senate (21-Y 19-N) 2/6/2019 House: Referred to Committee on Counties, Cities and Towns 2/13/2019 House: Subcommittee failed to recommend reporting (4-Y 4-N) 2/19/2019 House: Left in Counties, Cities and Towns</p>	<p>2/19/2019 1/22/2019</p>
<p>Support (19105516D-S1) - Bill amended to limit enforcement to shopping carts. Support with Amendment (19104083D) — Support with amendment to narrow scope of legislation to improve implementation. Summary: Provides that any county that has adopted the urban county executive form of government (Fairfax County) may, by ordinance, provide that it is unlawful for any person to place, leave, or abandon on any real property in the county, or within specified districts within the county, any shopping cart. The ordinance must provide that any such shopping cart that remains on the real property for a period of seven days after a notice of violation is given to the owner of such shopping cart shall be presumed to be abandoned and subject to being removed from the real property by the county or its agents without further notice. In the event any such shopping cart is so removed, the cost of removal, including the cost of disposal, shall be charged to the owner of the shopping cart.</p>		
<p><u>SB 1576</u> - Suetterlein (19) DOE; pilot program, placement transition of certain students.</p>	<p>1/9/2019 Senate: Referred to Committee on Education and Health 1/24/2019 Senate: Reported from Education and Health (15-Y 0-N) 1/24/2019 Senate: Re-referred to Finance 1/31/2019 Senate: Incorporates SB 1264 (Vogel) 1/31/2019 Senate: Reported from Finance with substitute (14-Y 0-N) 2/5/2019 Senate: Passed Senate (40-Y 0-N) 2/8/2019 House: Referred to Committee on Appropriations 2/13/2019 House: Subcommittee recommends passing by indefinitely (7-Y 1-N) 2/19/2019 House: Left in Appropriations</p>	<p>1/22/2019</p>
<p>Support (19100917D) Summary: Department of Education; pilot program; feasibility of educational placement transition of certain students with disabilities. Requires the Department of Education and relevant local school boards to develop and implement a pilot program for up to four years in two to eight local school divisions in the Commonwealth. In developing the pilot, the Department is required to partner with the appropriate school board employees in each such local school division to (i) identify the resources, services, and supports required by each student who resides in each such local school division and who is educated in a private school setting pursuant to his Individualized Education Program; (ii) study the feasibility of transitioning each such student from his private school setting to an appropriate public school setting in the local school division and providing the identified resources, services, and supports in such public school setting; and (iii) recommend a process for redirecting federal, state, and local funds, including funds provided pursuant to the Children's Services Act, provided for the education of each such student to the local school division for the purpose of providing the identified resources, services, and supports in the appropriate public school setting. The bill requires the Department of Education to make a report to the Governor, the Senate Committees on Education and Health and Finance, and the House Committees on Education and Appropriations on the findings of each pilot program after two and four years. The provisions of the bill are contingent on funding in a general appropriation act.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1578 - Suetterlein (19) Reckless driving; exceeding speed limit.</p>	<p>1/9/2019 Senate: Referred to Committee on Transportation 1/23/2019 Senate: Reported from Transportation (11-Y 2-N) 1/29/2019 Senate: Read third time and passed Senate (35-Y 5-N) 2/4/2019 House: Referred to Committee for Courts of Justice 2/13/2019 House: Subcommittee recommends passing by indefinitely (5-Y 1-N) 2/19/2019 House: Left in Courts of Justice</p>	<p>1/22/2019</p>
<p>Oppose (19101770D) - Board has historically opposed. Summary: Raises from 80 to 85 miles per hour the speed above which a person who drives a motor vehicle on the highways in the Commonwealth is guilty of reckless driving regardless of the applicable maximum speed limit.</p>		
<p>SB 1622 - McPike (29) Child day programs; lead testing, potable water, effective date.</p>	<p>1/9/2019 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 2/1/2019 Senate: Reported from SRSS with substitute (15-Y 0-N) 2/5/2019 Senate: Passed Senate (40-Y 0-N) 2/8/2019 House: Referred to Committee on Health, Welfare and Institutions 2/12/2019 House: Reported from Health, Welfare and Institutions with amendments (21-Y 0-N) 2/12/2019 House: Referred to Committee on Appropriations 2/12/2019 House: Subcommittee recommends passing by indefinitely (5-Y 3-N) 2/19/2019 House: Left in Appropriations</p>	<p>2/5/2019</p>
<p>Monitor (19104179D) Summary: Child day programs; potable water; lead testing. Requires licensed child day programs and certain other programs that serve preschool-age children to develop and implement a plan to test potable water from sources identified by the U.S. Environmental Protection Agency as high priority. The bill requires such plan and the results of each such test to be submitted to the Commissioner of Social Services and the Department of Health's Office of Drinking Water. The bill stipulates that if the result of any such test indicates a level of lead in the potable water that is at or above 15 parts per billion, the program shall remediate the level of lead in the potable water to below 15 parts per billion and confirm such remediation by retesting the water and submitting the results of the retests to the Commissioner of Social Services and the Department of Health's Office of Drinking Water. The bill allows such programs, in lieu of testing or remediation, to use other water sources that meet the U.S. Food and Drug Administration standards for bottled water.</p>		
<p>SB 1672 - Locke (2) Absentee voting; no-excuse absentee.</p>	<p>1/11/2019 Senate: Referred to Committee on Privileges and Elections 1/29/2019 Senate: Stricken at request of Patron in Privileges and Elections (13-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19102230D) - Board has historically supported. See also HB 1641 (Herring), SB 1026 (Spruill), and SB 1035 (Locke). Summary: Permits any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons under which a person may be entitled to vote by absentee ballot and removes references to those reasons from other sections of the Code.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1701</u> - Ebbin (30) Short-term rentals; regulation, urban county executive form of government.</p>	<p>1/15/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Reported from Local Government with amendment (9-Y 4-N) 2/4/2019 Senate: Passed Senate (26-Y 12-N) 2/6/2019 House: Referred to Committee on Counties, Cities and Towns 2/13/2019 House: Subcommittee recommends passing by indefinitely (5-Y 3-N) 2/19/2019 House: Left in Counties, Cities and Towns</p>	<p>1/22/2019</p>
<p>Oppose (19104398D) Summary: Regulation of short-term rentals; urban county executive form of government. Requires any ordinance adopted by the governing body of any county that operates under the urban county executive form of government (Fairfax County) relating to regulation of short-term rentals to comply with various provisions related to the short-term rental of property, including limits on (i) the total number of nights permitted for short-term rental on the short-term rental operator's property and (ii) the number of short-term rental properties owned by any one person or entity. The bill also requires such ordinance to comply with various Code of Virginia provisions related to zoning enforcement, the Virginia Uniform Statewide Building Code, real estate licensing, common interest communities, and covered entities otherwise regulated by localities.</p>		
<p><u>SB 1708</u> - Edwards (21) Law-Enforcement Officers Procedural Guarantee Act; hearing panel decisions.</p>	<p>1/15/2019 Senate: Referred to Committee for Courts of Justice 1/28/2019 Senate: Failed to report (defeated) in Courts of Justice (6-Y 6-N 2-A)</p>	<p>2/5/2019</p>
<p>Oppose (19104419D) Summary: Law-Enforcement Officers Procedural Guarantee Act; hearing panel decisions; finality and enforcement. Makes final and binding the decision of the hearing panel conducting a hearing to review an action that dismisses, demotes, suspends, or transfers a law-enforcement officer for punitive reasons, if such decisions are consistent with law and written policy. Under current law, the hearing panel only provides advisory recommendations. The bill allows either party to the hearing to petition the circuit court of the locality in which the grievant is employed for an order requiring the implementation of the final decision of the hearing panel.</p>		
<p><u>SB 1770</u> - Deeds (25) Transportation funding; creates a statewide approach to funding.</p>	<p>1/18/2019 Senate: Referred to Committee on Finance 1/31/2019 Senate: Passed by indefinitely in Finance (16-Y 0-N)</p>	<p>2/5/2019</p>
<p>Oppose (19104415D) Summary: Transportation Funding. Creates a statewide approach to transportation funding. The bill repeals the regional sales tax and gas tax enacted in 2013 to fund transportation initiatives in Hampton Roads and Northern Virginia, and raises the statewide gas tax by three percent to fund transportation generally. The bill has a delayed effective date of July 1, 2020, and directs the Secretary of Transportation to report to the Governor and the chairmen of the House Committees on Appropriations and Transportation and the Senate Committees on Finance and Transportation regarding changes necessary to existing transportation funding allocations to honor existing contracts and debt service obligations.</p>		

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[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1783</u> - Boysko (33) Local employee grievance procedure; qualifying grievances by local government employees.</p>	<p>1/18/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Stricken at request of Patron in Local Government (8-Y 0-N)</p>	<p>2/5/2019</p>
<p>Oppose (19104563D) - Board has historically opposed. Summary: Local employee grievance procedure. Provides that qualifying grievances by local government employees shall advance to a final step as agreed upon by the aggrieved and the local government; however, if an agreement cannot be reached on whether to use a panel hearing or hearing officer, a three-person panel shall be used. The bill contains technical amendments.</p>		
<p><u>SJ 284</u> - Sturtevant, Jr. (10) United States Constitution; ratifies Equal Rights Amendment.</p>	<p>1/7/2019 Senate: Referred to Committee on Privileges and Elections 1/9/2019 Senate: Incorporates SJ 270 (Saslaw) 1/9/2019 Senate: Reported from Privileges and Elections with substitute (8-Y 6-N) 1/15/2019 Senate: Agreed to by Senate (26-Y 14-N) 1/18/2019 House: Referred to Committee on Privileges and Elections 1/22/2019 House: Subcommittee recommends passing by indefinitely (4-Y 2-N) 2/5/2019 House: Left in Privileges and Elections</p>	<p>1/22/2019</p>
<p>Support (19104385D-S1) - Board has historically supported. Summary: Constitution of the United States; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
<p><u>SJ 307</u> - Lewis, Jr. (6) JLARC; costs of education, report.</p>	<p>1/9/2019 Senate: Referred to Committee on Rules 2/1/2019 Senate: Passed by indefinitely in Rules by voice vote</p>	<p>1/22/2019</p>
<p>Support (19103131D) - Board has historically supported. Fairfax County's Legislative Program includes support for adequate K-12 education funding. Summary: Study; JLARC; costs of education; report. Directs the Joint Legislative Audit and Review Commission to study the true cost of education in the Commonwealth and provide an accurate assessment of the costs to implement the Standards of Quality.</p>		