

---

---

## HOUSE BILLS

The same as found at <http://leg1.state.va.us/cgi-bin/legp504.exe?131+lst+SGN>.

### HB 1305 WORKERS' COMPENSATION; INJURIES PRESUMED TO BE IN COURSE OF EMPLOYMENT, UNLESS EVIDENCE TO CONTRARY.

This bill revises the provision enacted in 2011 that created a presumption, in the absence of a preponderance of evidence to the contrary, that an injury is work related if an employee is physically or mentally unable to testify and there is unrebutted prima facie evidence that the injury was work related. This measure clarifies that where the factual circumstances are of sufficient strength from which the only rational inference to be drawn is that the accident arose out of and in the course of employment, it shall be presumed the accident arose out of and in the course of employment, unless such presumption is overcome by a preponderance of competent evidence to the contrary.

### HB 1308 WRIT OF ACTUAL INNOCENCE; PETITION BY JUVENILE ADJUDICATED DELINQUENT UPON FELONY CHARGE.

This bill provides that a juvenile adjudicated delinquent in a circuit court of an offense that would be a felony if committed by an adult may petition the Supreme Court to issue a writ of actual innocence on the basis of biological or nonbiological evidence.

**HB 1311 APPEAL OF BOND DECISION; COURT MAY STAY EXECUTION OF ORDER FOR SO LONG AS REASONABLY PRACTICABLE.**

This bill provides that when a bail, bond, or recognizance decision is appealed, the court that made the decision may, for good cause shown, stay the execution of the order for so long as reasonably practicable for the party appealing the order to obtain an expedited hearing before the court to which such order was appealed. This bill is identical to SB 1118.

**HB 1318 BOILER AND PRESSURE VESSEL SAFETY ACT; CERTAIN LIQUEFIED PROPANE GAS CONTAINERS EXEMPT FROM ACT.**

This bill exempts stationary American Society of Mechanical Engineers (ASME) LP-Gas containers used exclusively in propane service from the Boiler and Pressure Vessel Safety Act if their capacity does not exceed 2,000 gallons and the owner or his servicing agent inspects the tank every five years, maintains records of the inspection, and makes the records available to the Commissioner of Labor and Industry. The measure also provides that boilers and pressure vessels on the property of private residences and apartment houses with fewer than four units are exempt from the Act; the current exemption applies only to such equipment in such residences or apartment houses.

**HB 1320 PEANUTS; EXTENDS EXCISE TAX ON THOSE GROWN IN AND SOLD IN VIRGINIA.**

This bill extends the \$0.30 per 100 pounds excise tax on all peanuts grown in and sold in Virginia until July 1, 2016. The proceeds from the tax will be used for promoting the sales and use of Virginia peanuts. This bill is identical to SB 698.

**HB 1327 PORT OF VA. ECONOMIC & INFRASTRUCTURE DEVELOPMENT ZONE GRANT FUND; CERTAIN BUSINESSES ELIGIBLE.**

This bill adds the City of Franklin and the Counties of Page and Shenandoah to the list of localities in which certain businesses related to commerce through the Port of Virginia may locate or expand and be eligible to apply for grants based on the number of new jobs created. The bill is contingent upon funding in the general appropriation act passed by the 2013 Session of the General Assembly, which becomes law, and the General Assembly finds that such requirement has been satisfied.

**HB 1332 LOCAL GOVERNMENT AUDIT; ALLOWED TO REQUEST AUDIT FROM AUDITOR OF PUBLIC ACCOUNTS UPON MAJORITY VOTE.**

This bill allows a local governing body to request an audit from the Auditor of Public Accounts at any time upon a majority vote, with the expense of the audit to be borne by the locality.

**HB 1333 SERVICE DISTRICT BOUNDARIES; ALLOWS LOCALITIES TO AMEND AFTER NOTICE AND PUBLIC HEARING.**

This bill allows localities to amend service district boundaries after notice and a public hearing. The bill incorporates HB 1343.

**HB 1335 LOCAL OFFICERS; SENIOR JUDGE MAY APPOINT TEMPORARY MEMBER TO ELECTORAL BOARD.**

This bill allows the senior judge, for good cause, to appoint a temporary member to the electoral board in order to maintain a quorum.

**HB 1337 POLLING PLACE PROCEDURES; VOTER IDENTIFICATION TO BE CURRENT, VALID, AND CONTAIN PHOTOGRAPH.**

This bill removes several items from the list of acceptable identification

documents that a voter must present when voting at the polls on election day: a copy of a current utility bill, bank statement, government check, or paycheck that shows the name and address of the voter and a voter's social security card. The bill also requires that all forms of acceptable identification contain a photograph of the voter or the voter's name and address, which conforms to the identification requirements under the Help America Vote Act of 2002 and harmonizes the identification requirements for state and federal elections. The bill has a delayed effective date of July 1, 2014, and its provisions are contingent upon funding being included in a general appropriation act passed by the 2014 Session of the General Assembly. This bill incorporates HB 1787 and HB 1788.

**HB 1339 ELECTION DISTRICTS & REDISTRICTING;  
LOCALITY PERMITTED TO EXCLUDE FROM CENSUS  
CORRECTIONAL FACILITY.**

This bill permits any county, city, or town governing body to exclude from the census population used in decennial redistricting the adult inmate populations of federal, state, or regional adult correctional facilities located in the localities. Current law allows the exclusion of such inmate populations only if they exceed 12 percent of the ideal population of a local election district.

**HB 1344 DEAF OR HARD-OF-HEARING CHILDREN; SPECIAL  
EDUCATION.**

This bill permits local school divisions to ensure that individualized education program (IEP) teams consider the specific communication needs of children who are deaf or hard of hearing and address those needs as appropriate in the child's IEP.

**HB 1345 RAPPAHANNOCK RIVER BASIN COMMISSION;  
REDUCES NUMBER OF MEMBERS.**

This bill reduces the membership of the Commission from 34 to 32 members. The reduction in the number of members is due to redistricting that resulted in the removal of one Senate district and one House of Delegates district from the Basin area. The bill also reduces the number of members that constitute a quorum from 12 to 11.

---

---

**HB 1346 PRESIDENTIAL ELECTORS; CANDIDATE PETITIONS, REQUIRED SIGNATURES, ETC.**

This bill reduces the number of signatures required for groups other than the major parties to gain access to the presidential election ballot from 10,000 to 5,000 signatures in the Commonwealth and from 400 to 200 signatures in each congressional district. The bill makes similar reductions to 5,000 and 200 in the number of signatures required for a person to qualify for a presidential primary ballot. The bill also provides a method for substituting persons listed as electors for presidential candidates for groups other than the major parties in the event such persons die or become incapacitated.

**HB 1347 WORKERS' COMPENSATION; WEATHER AS RISK OF PUBLIC SAFETY OFFICER'S EMPLOYMENT, INJURIES INCURRED.**

This bill states that an injury to a public safety officer in situations where weather constitutes a particular risk of his employment shall be compensable where the injury arose out of and in the course of his employment. This bill is identical to SB 896.

**HB 1349 DENTAL HYGIENE AND DENTAL HYGIENIST; DEFINITIONS AND LICENSURE.**

This bill defines "dental hygiene" as duties related to patient assessment and the rendering of educational, preventive, and therapeutic dental services specified in regulations of the Board and not otherwise restricted to the practice of dentistry. The bill defines "dental hygienist" as a person who is licensed by the Board of Dentistry to practice dental hygiene. The bill also clarifies the licensure requirement for a dental hygienist of graduation from a dental hygiene program accredited by the Commission on Dental Accreditation and offered by an accredited institution of higher education.

**HB 1350 STANDARDS OF LEARNING; LOCAL SCHOOL DIVISIONS SHALL PROVIDE MATH REMEDIATION, ETC., FOR GRADES 6-8.**

This bill requires local school divisions to provide targeted mathematics remediation and intervention to students in grades six through eight who show computational deficiencies on any diagnostic or grade-level Standards

of Learning mathematics test that measures non-calculator computational skills.

**HB 1351 CREDIT UNIONS, FEDERAL; THOSE OPERATING WITHIN STATE TO COMPLY WITH VIRGINIA SMALL ESTATE ACT.**

This bill provides that federal credit unions operating in the Commonwealth, to the extent allowable under federal law, shall comply with provisions of the Virginia Small Estate Act requiring a person having possession of an asset belonging to a decedent with a value of no more than \$50,000 to pay or deliver that asset to the designated successor of the decedent. This bill is identical to SB 905.

**HB 1358 LAW-ENFORCEMENT OFFICER; IMPERSONATING LOCAL, ETC., LAW-ENFORCEMENT OFFICER IS CLASS 1 MISDEMEANOR.**

This bill adds federal law-enforcement officers and any local, city, county, and state law-enforcement officers to the list of law-enforcement officers for which it is a Class 1 misdemeanor to falsely assume or exercise the functions, powers, duties, and privileges incident to the office of sheriff, police officer, marshal, or peace officer, or to falsely assume or pretend to be any such officer. This bill is identical to SB 1128.

**HB 1363 PRIVATE SECURITY SERVICES BUSINESSES; EXEMPTS CERTAIN EMPLOYEES AND REPRESENTATIVES FROM TRAINING.**

This bill exempts employees and sales representatives of an electronic security equipment retailer from training requirements when they (i) sell the equipment at a store location, online, or by telephone, but not at the end user's premises; (ii) are not electronic security technicians; and (iii) do not have access to end user confidential information regarding the end user's electronic security equipment from dispatcher training requirements.

**HB 1372 UNEMPLOYMENT COMPENSATION;  
DISQUALIFICATION FROM BENEFITS DUE TO LOSS OF  
LICENSE OR CERTIFICATION.**

This bill provides that an individual is ineligible for unemployment benefits if he has been discharged because he lost or failed to renew a license or certification that is required for his job.

**HB 1376 CONTROLLED SUBSTANCES; LAW-ENFORCEMENT  
OFFICER'S TESTIMONY REGARDING FIELD-TEST  
IDENTIFICATION.**

This bill provides that any law-enforcement officer shall be permitted to testify as to results of field tests approved by the Department of Forensic Science regarding identification of a substance at issue in a preliminary hearing on a violation of subdivision 6 of § 53.1-203 (possession of drugs by an inmate). Under current law, this provision applies to only violations of Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 (drug crimes).

**HB 1383 CRIMINAL HISTORY RECORD INFORMATION;  
EMERGENCY MEDICAL SERVICES PROVIDERS.**

This bill provides that the State Board of Health shall require each person who, on or after July 1, 2013, applies to be a volunteer with or employee of an emergency medical services agency to submit fingerprints and provide personal descriptive information for the purpose of a state and national criminal history record check. This bill is identical to SB 1288.

**HB 1384 TRANSPORTATION ACCOUNTABILITY, JOINT  
COMMISSION ON; REMOVES OBSOLETE PROVISION.**

This bill removes obsolete provision requiring the Commonwealth to provide the Commission with "adequate office space."

**HB 1385 LABOR ORGANIZATION REPRESENTATION; RIGHT  
TO VOTE BY SECRET BALLOT.**

This bill declares that, in any procedure providing for the designation,

selection, or authorization of a labor organization to represent employees, the right of an individual employee to vote by secret ballot is a fundamental right that shall be guaranteed from infringement.

**HB 1387 LICENSE PLATES, SPECIAL; ISSUANCE FOR SUPPORTERS OF WASHINGTON NATIONALS BASEBALL TEAM.**

This bill authorizes the issuance of revenue-sharing special license plates for supporters of the Washington Nationals baseball team to support the Washington Nationals Dream Foundation. This bill is identical to SB 837.

**HB 1388 TEACHING POSITIONS; NOTICE TO PRINCIPALS, ASSISTANT PRINCIPALS, OR SUPERVISORS OF REASSIGNMENT.**

This bill changes the deadline for a school board to notify principals, assistant principals, or supervisors under continuing contract of their reassignment to teaching positions from April 15 to June 15. This bill is identical to SB 936.

**HB 1390 CHARTER; TOWN OF KILMARNOCK.**

This bill amends the town's charter of 1952, as amended, regarding the town's boundaries; the service of council members appointed to fill vacant seats; the authorities of the town manager and the director of public utilities; the use of electronic meeting minutes; and other matters. The amendments clarify the duties and terms of service of the town clerk and town treasurer and reduce the proportion of council members who must vote to set the salaries of council members from two-thirds of the full membership to a majority of those in attendance. The bill also strikes antiquated provisions from the charter, such as provisions dealing with the operation of a workhouse, the appointment of special policemen, and the storage of gunpowder, and makes technical amendments.

**HB 1392 HIGHER EDUCATIONAL INSTITUTIONS;  
MODIFICATIONS TO PRIOR REVENUE BOND BILLS,  
EMERGENCY.**

This bill modifies revenue bond bills for institutions of higher education enacted in 2008 by changing a project at Radford University from "construct residence halls" to "renovate residence halls." The bill also modifies revenue bond bills for institutions of higher education enacted in 2012 by (i) changing a project at the College of William and Mary from "renovate dormitory" to "renovate dormitories," (ii) increasing the amount allocated for such project from \$5,000,000 to \$14,650,000, and (iii) increasing the maximum aggregate amount of bonds that may be issued from \$125,594,000 to \$135,244,000. The bill states that an emergency exists and that the bill is in force from its passage. This bill is identical to SB 754.

**HB 1393 FLEET MANAGEMENT; DGS TO ISSUE GUIDANCE  
DOCUMENTS TO GOVERN USE OF VEHICLES IN STATE  
FLEET.**

This bill provides for the Department of General Services to issue guidance documents, rather than regulations, to govern use of vehicles in the state fleet.

**HB 1395 ABANDONED VEHICLES; PUBLIC AUCTION  
CONDUCTED BY LOCALITY SHALL INCLUDE AN  
INTERNET SALE BY AUCTION.**

This bill provides that "public auctions" at which abandoned vehicles are sold by local governments can include Internet sales. The bill also reduces the time period that a locality must hold the proceeds from such a sale for the owner from 90 to 60 days.

**HB 1396 PORTABLE ELECTRONICS INSURANCE;  
ELIMINATES PROVISION THAT CAPS INCIDENTAL  
COMPENSATION, ETC.**

Eliminates a provision that caps, at \$10 per customer, the incidental

compensation that a vendor of portable electronics may provide to its employees or authorized representatives who sell portable electronics insurance.

**HB 1397 DAN RIVER; DESIGNATES 15-MILE SEGMENT AS COMPONENT OF VIRGINIA SCENIC RIVERS SYSTEM.**

Designates a 15-mile segment of the Dan River as a component of the Virginia Scenic Rivers System.

**HB 1398 LAND PRESERVATION TAX CREDITS; BUDGET BILL TO INCLUDE AN APPROPRIATION FOR LAND PRESERVATION, ETC.**

This bill provides that, beginning with calendar year 2013, the maximum amount of land preservation tax credits that shall be issued to taxpayers shall be \$100 million. However, the \$100 million shall continue to be annually indexed, as is done under current law. The Governor would be required to include in the Budget Bill or in his amendments to the general appropriation act a recommended appropriation from the general fund in an amount equal to the difference between the indexed amount and \$100 million to be appropriated as follows: 80 percent of the unissued credits to the Virginia Land Conservation Fund, of which at least 50 percent must be used for acquisitions with public access; 10 percent to the Civil War Site Preservation Fund; and 10 percent to the Virginia Farmland Preservation Fund.

**HB 1399 RS&UT; DELETES PORTION OF TAX EXEMPTION FOR POLLUTION CONTROL EQUIPMENT AND FACILITIES.**

This bill deletes that portion of the sales and use tax exemption for pollution control equipment and facilities that expired July 1, 2006, related to coal, oil, and gas production, to clarify that such exemption did not expire in 2006, and continues because of a cross-reference to another statute.

**HB 1400 OYSTER REPLENISHMENT TAX; PENALTIES.**

This bill reorganizes, clarifies, and renames the oyster replenishment tax

system as a system of oyster resource user fees. In addition to repealing four Code sections, the bill replaces the former price-based replenishment tax with a volume-based oyster resource user fee, specifying that no harvester shall pay more than one such fee per year. The bill removes the exemption from licensing requirements for an oyster grounds leaseholder, distinguishes from other fees the license fee to be paid by a person who buys from the catcher oysters caught from the public grounds, simplifies the description of the fisheries data that harvesters and others are required to record, simplifies the prohibition on carrying oysters out of state without a permit, and removes certain oyster inspection tax provisions. The bill also makes technical amendments.

**HB 1401 REAL PROPERTY TAX; COLLECTION OF DELINQUENT TAXES, NOTICE TO TAXPAYER REGARDING PAYMENT AGREEMENT.**

This bill requires that, prior to initiating judicial proceedings to sell real property because of delinquent taxes, the locality must notify the taxpayer that he has the right to request that the treasurer enter into a payment schedule with him to pay the delinquent taxes.

**HB 1406 EATING DISORDERS; SCHOOL BOARD SHALL PROVIDE PARENT EDUCATIONAL INFORMATION FOR GRADES 5 THROUGH 12.**

This bill requires each school board to annually provide parent educational information on eating disorders for public school students in grades five through 12. The bill also requires the Department of Education and the Department of Health to develop and implement policies for providing parent educational information on eating disorders.

**HB 1419 FAMILY HEALTH CARE STRUCTURES, TEMPORARY; ZONING PROVISIONS, EXTENDS TIME STRUCTURE MUST BE REMOVED.**

This bill amends requirements governing zoning ordinances for temporary family health care structures by altering the occupancy restriction to allow a married couple, under certain conditions, to reside in a temporary family health care structure and by extending the time by which a temporary family health care structure must be removed from 30 to 60 days from the date on which the temporary family health care structure was

last occupied by a mentally or physically impaired person receiving or in need of assistance.

**HB 1420 INTERVENER; PURPOSES OF REGULATIONS PROMULGATED BY BOARD OF EDUCATION.**

This bill requires the Board of Education to promulgate regulations defining "intervener" as an individual with knowledge and skill in the mode of communication of a deaf-blind student and who can communicate to the deaf-blind student what is occurring in the student's educational setting.

**HB 1422 INTERCHANGEABLE BIOSIMILAR BIOLOGICAL PRODUCTS; PERMITS PHARMACISTS TO DISPENSE, ETC.**

This bill permits pharmacists to dispense a biosimilar that has been licensed by the U.S. Food and Drug Administration as interchangeable with a prescribed biological product unless the prescriber indicates such substitution is not authorized or the patient insists on dispensing of the prescribed biological product. The bill requires any pharmacist who dispenses an interchangeable biosimilar to inform the patient prior to dispensing the biosimilar and record the brand name or the product name and name of the manufacturer of the biosimilar on the record of dispensing and the prescription label. The bill also requires, until July 1, 2015, that the pharmacist provide notification of the substitution to the prescriber and provide retail cost information for both the prescribed biological product and the interchangeable biosimilar to the patient. This bill is identical to SB 1285.

**HB 1423 MANDATORY OUTPATIENT TREATMENT; WHO MAY FILE PETITION.**

This bill allows the community services board serving the county or city in which the person who would be the subject of an order for mandatory outpatient treatment following a period of voluntary or involuntary treatment resides and the community services board serving the county or city where such person receives treatment to petition for an order of mandatory outpatient treatment.

---

---

**HB 1425 TENANT'S REMEDIES; INTERRUPTED UTILITY SERVICE.**

This bill provides that if a landlord unlawfully causes an interruption of utility services for leased premises, the residential tenant may obtain an order from general district court to recover possession of the premises, require the landlord to resume such interrupted utility services, or terminate the rental agreement.

**HB 1432 WRIT OF ACTUAL INNOCENCE; REVISES ONE OF ALLEGATIONS NECESSARY TO PETITION.**

This bill revises one of the allegations necessary to a petition for a writ of actual innocence from "[the evidence] will prove that no rational trier of fact could have found proof of guilt beyond a reasonable doubt" to "[the evidence] will prove that no rational trier of fact would have found proof of guilt beyond a reasonable doubt."

**HB 1433 INFANTS; CAUSE OF ACTION FOR EXPENSES FOR INJURY, STATUTE OF LIMITATIONS.**

This bill provides that, in actions that accrue on or after July 1, 2013, the past and future expenses of curing or attempting to cure an infant from a personal injury that the infant's parent or guardian has paid or is personally obligated to pay are damages recoverable by the infant in an action against the tort-feasor who caused the infant's injuries. The infant's parent or guardian who has paid or is personally obligated to pay such expenses has a lien and right of reimbursement against any recovery of the infant. Currently, the infant's parent or guardian may maintain a separate action against the tort-feasor for such expenses. The bill also provides that an infant's claim for medical expenses that accrues on or after July 1, 2013, shall be brought within the limitations period applicable to the infant's cause of action. Currently, such action must be brought within five years from the time the action accrued. The bill is identical to SB 1164.

**HB 1435 SENIOR JUDGE SYSTEM; TO STUDY FEASIBILITY & EFFECT OF IMPLEMENTING FOR CIRCUIT & DISTRICT COURTS.**

This bill allows the Office of the Executive Secretary of the Supreme Court of Virginia to contract with an independent entity such as the National Center for State Courts to study the feasibility and effect of implementing a senior judge system. The Office of the Executive Secretary of the Supreme Court of Virginia shall submit an executive summary of its progress towards accomplishing the study by November 15, 2014.

**HB 1439 BACKGROUND CHECKS; CHILDREN'S RESIDENTIAL FACILITIES REGULATED BY DEPARTMENT OF JUVENILE JUSTICE.**

This bill provides that the requirement for criminal history background checks for children's residential facilities shall also apply to local secure detention facilities. This bill is identical to SB 992.

**HB 1440 CHARTER; TOWN OF MONTEREY.**

This bill enacts a charter for the Town of Monterey in Highland County, repealing the former charter of 1952, as amended. The charter describes the powers and boundaries of the town; provides for a mayor and town council and sets a schedule for their elections; provides for the appointment of a town clerk and sets out his duties; and establishes the powers of the council, including the powers to create policing arrangements, provide punishments for violations of ordinances, and levy taxes. The charter also contains general provisions addressing the authority of the town and other matters.

**HB 1443 SOCIAL SERVICES, COMMISSIONER OF; SUBMISSION OF FINANCIAL INFORMATION BY APPLICANT, LICENSURE.**

This bill reduces from three to one the number of credit references that an applicant for initial licensure as a child welfare agency, assisted living facility, or adult day care center must submit to be exempt from the requirement that the applicant make his financial records available to the Commissioner of Social Services for review; adds a requirement for submission of an operating budget at the time of application for an initial license as a child welfare agency, assisted living facility, or adult day care center seeking an exemption from the requirement that an applicant make financial records available to the Commissioner of Social Service; and eliminates the requirement that the Commissioner investigate the financial

---

---

responsibility of an applicant for renewal of a license as a child welfare agency, assisted living facility, or adult day care center. The bill contains an emergency clause. This bill is identical to SB 1310.

**HB 1444 MEDICATIONS; ADMINISTRATION BY CERTAIN EMPLOYEES OR CONTRACT SERVICE PROVIDERS.**

This bill provides that employees of or persons providing services pursuant to a contract with a provider licensed by the Department of Behavioral Health and Developmental Services may administer insulin, glucagon, and epinephrine pursuant to a written order issued by a prescriber in certain circumstances. The bill provides protection from liability for certain acts related to such administration and requires the Board of Nursing to promulgate regulations governing training in the administration of epinephrine and glucagon by persons authorized to administer epinephrine and glucagon.

**HB 1445 HOME CARE ORGANIZATIONS; CLARIFIES LIABILITY INSURANCE COVERAGE REQUIREMENTS.**

This bill requires every licensed home care organization to maintain a liability insurance policy and third-party crime insurance policy or blanket fidelity bond in an amount sufficient to compensate patients or individuals for injuries and losses resulting from negligent or criminal acts of the licensee. The bill also provides for operation of branch offices by a single licensee.

**HB 1448 SEPTIC SYSTEMS, FAILED; CONTRACTS WITH PROPERTY OWNERS TO PROVIDE LOANS FOR REPAIRS.**

This bill authorizes a locality, by ordinance, to create a loan program to enable the repair of property owners' failed septic systems. Any such ordinance is required to describe the arrangement of the loan program, including any partnership with a planning district commission, and is permitted to provide for the repayment of the loan through water or sewer billings, real property tax assessments, or other billings. The bill authorizes other features of a loan program and permits a locality to set a minimum ownership interest or minimum level of proof of ownership of the property for situations in which it is extremely difficult or impossible to identify all

of the people who have an ownership interest in the property.

**HB 1449 ALCOHOLIC BEVERAGE CONTROL; MIXED BEVERAGE LICENSES FOR CERTAIN PROPERTIES.**

This bill provides that the ABC Board may grant a mixed beverage license, notwithstanding the requirement for a referendum, to properties (i) located as of December 1, 2012, within the Montgomery County Route 177 Urban Development Area, which area is adjacent to Exit 109 on Interstate 81, and (ii) on property fronting Route 603 with portions fronting on Interstate 81, located approximately 1,100 feet from the intersection of Route 603 and Interstate 81 at Exit 128 in Montgomery County. This bill is identical to SB 949.

**HB 1451 RETENTION OF CASE RECORDS; GENERAL DISTRICT COURT.**

This bill permits the chief judge of a general district court to direct the clerk of that court to destroy documents related to civil and criminal cases that have been ended for a period of three years, provided that they have been microfilmed or converted to an electronic format. Currently, such documents must be retained for 10 years. This bill is a recommendation of the Committee on District Courts. The bill is identical to SB 979.

**HB 1452 CHARTER; TOWN OF CHASE CITY.**

This bill increases salary caps for the mayor and members of town council. The bill also removes outdated provisions related to a municipal court.

**HB 1453 PUBLIC UTILITY COMPANY VEHICLES; EXTENSION OF LOADS BEYOND FRONT OF VEHICLES.**

This bill allows loads to extend 10 feet beyond the front of the vehicle for utility poles during the daytime and for emergency utility repair at night. Under current law, no vehicle is allowed to carry a load that extends more than three feet beyond the front of the vehicle. This bill is identical to SB 1050.

---

---

**HB 1461 TUITION, IN-STATE; VETERANS RESIDING WITHIN STATE SHALL BE ELIGIBLE FOR IN-STATE TUITION CHARGES.**

Clarifies eligibility for in-state tuition of current and former military personnel and their dependents. The bill also grants eligibility for in-state tuition charges to veterans residing within the Commonwealth. This bill is identical to SB 1242.

**HB 1468 PUBLIC SCHOOLS; POSSESSION & ADMINISTRATION OF EPINEPHRINE BY EMPLOYEES OF LOCAL GOVERNING BODIES.**

This bill adds employees of local governing bodies and employees of local health departments to the lists of individuals who are permitted to possess and administer epinephrine and not be held liable for civil damages when certain conditions are met. The bill also requires local school boards to include in policies for the possession and administration of epinephrine a provision adding any employee of a local governing body or an employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine to administer the drug to any student believed to be having an anaphylactic reaction. This bill contains an emergency clause. This bill is identical to SB 893.

**HB 1473 CONCESSION STANDS AT YOUTH ATHLETIC ACTIVITIES; EXEMPT FROM REGULATIONS APPLICABLE TO RESTAURANTS.**

This bill exempts concession stands at youth athletic activities from regulations governing restaurants, provided that such concession stands are promoted or sponsored either by a youth athletic association or by any charitable nonprofit organization or group thereof that has been recognized as being a part of the recreational program of the political subdivision where the association or organization is located by an ordinance or resolution of such political subdivision. This bill is identical to SB 709.

**HB 1474 GRASS & WEEDS; ADDS TOWN OF ORANGE TO LIST OF LOCALITIES AUTHORIZED TO REQUIRE CUTTING ON PROPERTY.**

Adds the Town of Orange to the list of localities permitted to provide by ordinance for the cutting of grass and weeds on occupied property.

**HB 1475 MOTORCYCLE TITLING; PURCHASE OF NEW MOTORCYCLES FOR PARTS.**

The bill allows licensed motorcycle manufacturers with a salvage dealer license to purchase new motorcycles of a different line-make for parts without obtaining a certificate of title. This bill is identical to SB 904.

**HB 1476 MOTORCYCLE RIDER SAFETY TRAINING CENTERS; REQUIRES MOTORCYCLES SUPPLIED TO MEET CERTAIN CRITERIA.**

The bill requires that motorcycles supplied by motorcycle rider training centers meet at least two of three specified criteria as to engine displacement, vehicle weight, and seat height. This bill incorporates HB 1865.

**HB 1477 DEADMAN'S STATUTE; CORROBORATION OF TESTIMONY BY BUSINESS RECORDS, AUTHENTICATION OF RECORDS.**

This bill revises the Deadman's Statute by allowing for the corroboration of the testimony of an adverse or interested party by an entry in a business record authored by the adverse or interested party. If the authentication of the business record used as evidence for corroboration is not admitted in a request for admission, the record must be authenticated by a person who is not the author of the entry and who is not an adverse or interested party to the case. The bill is identical to SB 1122.

**HB 1480 REAL ESTATE BOARD; AUTHORITY TO HEAR FAIR HOUSING VIOLATIONS BY REAL ESTATE LICENSEES.**

This bill clarifies that in any case in which there are multiple respondents and one of the respondents is a real estate licensee, the case involving both the real estate licensee and the respondent who is a property owner or his agent or principal who has engaged a real estate licensee shall be heard by

---

---

the Real Estate Board and not the Fair Housing Board. The bill also provides that in no event shall the jurisdiction be split between the Real Estate Board and the Fair Housing Board on the same such case.

**HB 1481 SCRAP METAL PURCHASERS; PURCHASE OF SECONDHAND ARTICLES, REPORTS, PENALTY.**

This bill provides that any person or business that purchases scrap metal in excess of \$20,000 during a 12-month period shall be subject to requirements regarding the purchase of nonferrous scrap, metal articles, and proprietary articles. The bill requires scrap metal purchasers to take and maintain for 30 days an image of any proprietary articles purchased. The bill also requires scrap metal purchasers to submit to the chief law-enforcement officer a report of all of purchases of certain items, if requested by such law-enforcement officer, using a form prescribed by the Virginia State Police. The bill incorporates HB 1323.

**HB 1482 WASTEWATER WORKS OPERATOR; MUST SIT FOR CONVENTIONAL ONSITE SEWAGE SYSTEM OPERATOR EXAMINATION.**

This bill requires the Board to permit any Class 1 wastewater works operator to sit for the conventional onsite sewage system operator examination.

**HB 1485 DMV REGISTRATION; EXPIRATION AND RENEWAL.**

This bill allows the DMV Commissioner to postpone expiration of vehicle registration if DMV is unable to operate for reasons beyond its control and the postponement is authorized by the Governor.

**HB 1493 CHARTER; CITY OF HAMPTON.**

This bill updates provisions related to the initial meeting of council and the election of the school board. SB 242 is identical to this bill.

**HB 1497 PUBLIC SCHOOL INTERSCHOLASTIC PROGRAMS;  
PARTICIPATION BY STUDENTS IN MILITARY FAMILIES.**

This bill prohibits public elementary or secondary schools from joining an organization governing interscholastic programs that does not deem eligible for participation a student (i) who moved out of the school's attendance area because his parent is a full-time, active duty member of the uniformed services and received orders to relocate and who subsequently moved back into the school's attendance area or (ii) who continues to live in the school's attendance area but whose parent moved out of the school's attendance area because that parent is a full-time, active duty member of the uniformed services and received orders to relocate. The bill does not affect a school board's discretion to admit a student and charge tuition for his attendance at a public school in the local school division if the student is not deemed to reside in the local school division.

**HB 1499 EMERGENCY MEDICAL SERVICES PERSONNEL;  
ADMINISTRATION OF MEDICATIONS.**

This bill clarifies the circumstances under which emergency medical services personnel may administer medications and provides that emergency medical services personnel may administer medications pursuant to an oral or written order or standing protocol. This bill is identical to SB 773.

**HB 1500 BUDGET BILL.**

This bill amends Chapter 3, 2012 Special Session I Acts of Assembly.

**HB 1501 PHARMACY; COLLABORATIVE AGREEMENTS.**

This bill clarifies parties with whom a pharmacist may enter into a collaborative agreement; provides that a patient who does not wish to participate in a collaborative procedure must notify the prescriber of his decision; and provides that a prescriber may elect to have a patient not participate in a collaborative agreement by contacting the pharmacist or his designated alternative pharmacist or by documenting his decision on the patient's prescription. The bill also clarifies that collaborative agreements may be in writing or in electronic form.

---

---

**HB 1506 SERVICE FIREARMS; MINIMUM YEARS OF SERVICE.**

This bill reduces from 15 years to 10 years the minimum number of years that certain officers must serve in order to qualify to purchase their service handguns.

**HB 1507 DEEDS; CIRCUIT COURT CLERK HAS AUTHORITY TO REJECT ANY DEED OR RECORDATION FOR FILING, ETC.**

This bill clarifies that the circuit court clerk may reject for filing or recording a deed conveying not more than four residential dwelling units if the deed does not state on its first page that it was prepared either by the owner of the property or by an attorney licensed to practice in Virginia. The bill further clarifies that a deed of trust need not contain such a statement regarding its preparation.

**HB 1508 CONGRESSMAN WILLIAM WAMPLER, SR., MEMORIAL HIGHWAY; DESIGNATING PORTION OF INTERSTATE ROUTE 81.**

This bill designates I-81 between the Virginia/Tennessee line and Exit 118 the "Congressman William Wampler, Sr., Memorial Highway."

**HB 1509 FAILED ELECTRONIC PAYMENTS; CIVIL ACTION, UNLAWFUL DETAINER REMEDIES.**

This bill provides that if an electronic funds transfer is rejected because of insufficient funds or because a stop-payment order was placed on such payment in bad faith, the payee of the electronic funds transfer may recover in a civil action in the same manner as an action to recover for a bad check. The bill also provides that a writ of possession in an unlawful detainer action may be requested by the plaintiff's attorney or agent in addition to the plaintiff, and that such attorney or agent may also present into evidence an affidavit with copies of documents showing the plaintiff's right to possession of the premises. The bill further provides that such affidavit may contain a list of outstanding rent, late charges, attorney fees, and other damages owed to the plaintiff, and the court shall enter a judgment for the amount listed when entering an order of possession if the court finds that such amount is accurate.

**HB 1510 DENTAL OR OPTOMETRIC SERVICES PLANS;  
REQUIREMENT FOR NONSTOCK CORPORATION THAT  
OFFER OR ADMINISTER.**

This bill requires any nonstock corporation that offers or administers a dental or optometric services plan without acting as an agent for participating dentists or optometrists to maintain a contingency reserve of at least \$4 million. Currently, the contingency reserve must be at least equal to 45 days of anticipated operating expenses and incurred claims expenses generated for its subscription contracts. The measure also requires the State Corporation Commission to subject the nonstock corporation to the requirements regarding the Life, Accident and Sickness Insurance Guaranty Association.

**HB 1514 GOLF CARTS AND UTILITY VEHICLES; ADDS  
TOWN OF WACHAPREAGUE TO LIST THAT MAY  
AUTHORIZE.**

This bill adds the town of Wachapreague to the list of towns that may authorize over-the-road operation of golf carts and utility vehicles, even though the town does not have its own police department.

**HB 1515 WIDGEON, RANDY MARSHALL; TRANSFERS HIS  
SERVICE PISTOL TO HIS WIDOW, PAMELA TURLINGTON  
WIDGEON.**

This bill transfers the service pistol of Captain Randy Marshall Widgeon to his widow, Pamela Turlington Widgeon.

**HB 1519 COMMUNITY INTEGRATION ADVISORY  
COMMISSION; EXTENDS SUNSET PROVISION.**

This bill changes the sunset provision affecting the Community Integration Advisory Commission from July 1, 2014, to July 1, 2016. This bill is identical to SB 1071.

---

---

**HB 1521 VIRGINIA RESIDENTIAL PROPERTY DISCLOSURE ACT; DESIGNATION OF TOURISM ACTIVITY ZONES, ETC.**

This bill authorizes any locality to designate one or more tourism activity zones as areas that may be used for special events, including parades, events requiring temporary street closures, and indoor and outdoor activities. An owner of residential property located partially or wholly within a designated tourism activity zone may disclose the presence of the property within the zone by disclosing in writing to any prospective purchaser or lessee of the property that the subject property is located within a tourism activity zone, with a description of the potential impacts associated with the property being located in a tourism activity zone.

**HB 1522 PERSONAL PROPERTY TAX; CLASSIFICATION OF MOTOR VEHICLES LEASED BY LOCALITY/CONSTITUTIONAL OFFICER.**

This bill creates a separate classification, for purposes of permitting localities to set a lower personal property tax rate, on motor vehicles leased by a county, city, town, or constitutional officer if the locality or constitutional officer is obligated by the terms of the lease to pay tangible personal property tax on the motor vehicle.

**HB 1524 VIRGINIA FREEDOM OF INFORMATION ACT; RECORDS OF MINORS PARTICIPATING IN PARK AND RECREATION PROGRAM.**

This bill reverses the default rule of FOIA that certain park and recreation records of minors are subject to the mandatory disclosure provisions of FOIA unless the parent or an emancipated person who is the subject of the record requests in writing that the record not be disclosed. Under the bill, these records would be exempt from public disclosure unless and until the parent or emancipated person who is the subject of the record waives the protection.

**HB 1526 HOT LANES; EMERGENCY VEHICLES AND LAW-ENFORCEMENT VEHICLES CANNOT USE WHEN COMMUTING TO WORK PLACE.**

This bill provides that emergency vehicles and law-enforcement vehicles

that otherwise would be allowed free use of HOT lanes cannot do so when the vehicle is being used to commute.

**HB 1527 FIRE INSURANCE; CLARIFIES THAT EXCESS INSURANCE MAY BE WRITTEN ON AN ENDORSEMENT, ETC.**

This bill clarifies that excess fire insurance may be written on an endorsement as well as on a separate policy. The measure also deletes references to primary policies and deletes a requirement that insurers indicate in the heading or title of a readable policy whether the coverage applies on a primary or excess basis.

**HB 1528 COMMERCIAL INSURANCE POLICIES; ONLY FIRST NAMED INSURED REQUIRED TO BE GIVEN NOTICE OF CANCELLATION.**

This bill permits insurers to send termination notices on commercial liability policies to the first named insured listed in the policy's declarations page.

**HB 1531 PUBLIC BEACHES; SAND DREDGING AND BEACH REPLENISHMENT.**

This bill authorizes the Marine Resources Commission and the Department of Environmental Quality to establish an expedited application review process for dredging of sand and beach replenishment on the public beaches abutting the waters of the Chesapeake Bay. The bill requires the agencies to establish a working group, consisting of representative stakeholders, to assist in the development of the expedited review process. The working group is to consider a requirement that the application for the sand replenishment project permit include the submission of a dredging plan by the locality for areas within the Chesapeake Bay from which the dredged material will be taken and the location of the beach replenishment project. The bill provides several types of information that such a plan would include, such as the analysis of benthic, marine, and fishery resources; impact on any historical artifacts; and impact on other uses of the state waters and bottomlands at the dredge site. This bill is identical to SB 946.

---

---

**HB 1532 VIRGINIA RETIREMENT SYSTEM; BENEFITS FOR CERTAIN LOCAL EMPLOYEES.**

This bill makes technical changes necessary to carry out the purpose of Chapter 811 of the 2012 Acts of Assembly, permitting localities to exempt firefighters, emergency medical technicians, and law-enforcement officers from the higher age and service requirements for normal and early retirement applicable to employees hired on or after July 1, 2010.

**HB 1533 CHARTER; CITY OF FAIRFAX.**

This bill increases the maximum transient occupancy tax that the city may levy from four percent to six percent. Any amount above four percent shall be placed into an economic development opportunity fund to be used solely for economic development, marketing, or tourism initiatives. SB 1343 is identical to this bill.

**HB 1539 MOTOR VEHICLES; CERTAIN VEHICLE DEALERS NOT REQUIRED TO DISPLAY LICENSE AT WHOLESALE AUCTION.**

This bill provides that a "supplemental sales location" license is not required for a licensed motor vehicle dealer, licensed T&M dealer, licensed trailer dealer, or licensed motorcycle dealer to sell vehicles, trailers, or motorcycles on consignment at wholesale auctions. The bill also allows the consignment sale of vehicles, trailers, or motorcycles that fail to pass safety inspection if the buyer is provided a written disclosure of that failure.

**HB 1545 MEDICAL MALPRACTICE; EXPERT WITNESS CERTIFICATION, COURT MAY CONDUCT AN IN CAMERA REVIEW.**

This bill provides that in an action for medical malpractice or wrongful death premised on medical malpractice, the court, upon good cause shown, may conduct an in camera review of the opinion obtained by the plaintiff of an expert witness who certified that the defendant deviated from the applicable standard of care and the deviation was the proximate cause of the injuries claimed. Such a certification is required before any action for

medical malpractice or wrongful death premised on medical malpractice may be instituted, except in cases where cause of the injuries claimed lies within the jury's common knowledge and experience. The bill is identical to SB 699.

#### **HB 1546 SERVICE OF PROCESS; MAKES SEVERAL CHANGES TO HOW PROCESS IS MADE ON NONRESIDENTS, ETC.**

This bill makes several changes to how service of process is made on nonresidents and foreign corporations, including providing that (i) foreign corporations may be personally served with process outside of the Commonwealth in addition to substituted service on such corporation within the Commonwealth; (ii) service of process on the Commissioner of the Department of Motor Vehicles for nonresident motor vehicle owners or operators or the Secretary of the Commonwealth for nonresident aircraft owners or operators is effective on the date service is made on the Commissioner or the Secretary; and (iii) the Secretary of the Commonwealth or the statutory agent of a foreign corporation must provide a receipt noting the date service of process was made if the Secretary or statutory agent was served by hand delivery or any other method that does not provide a return of service. This bill is a recommendation of the Boyd-Graves Conference.

#### **HB 1547 CEMETERIES; MINIMUM TREE CANOPY DURING DEVELOPMENT PROCESS SHALL BE 10 PERCENT.**

This bill provides that the minimum tree canopy as required by localities during the development process shall be 10 percent for cemeteries.

#### **HB 1553 REAL PROPERTY TAX ASSESSMENT; AFFORDABLE HOUSING.**

This bill modifies the special means of assessing the value of affordable rental housing units by permitting a taxpayer who owns certain multiple units and has expenses that are common to two or more units to make a pro rata apportionment of such expenses to each such unit based on each unit's assessed value as a percentage of the total assessed value of all such units. The bill covers the units whether they are in a single tax parcel or multiple tax parcels.

**HB 1554 RISK MANAGEMENT PLANS; INSURANCE COVERAGE FOR SHERIFFS OR DEPUTIES, LIMITATION ON LIABILITY.**

This bill provides that no sheriff or deputy shall be liable in his individual capacity for any civil judgment in excess of the maximum liability coverage provided under the risk management insurance plan, which shall be at least \$1.5 million for sheriffs and deputies.

**HB 1558 LIBRARIES; TOWN OF LEESBURG MAY BY ORDINANCE ESTABLISH AN ENDOWMENT FUND FOR SUPPORTING CERTAIN.**

This bill provides that the Town of Leesburg by ordinance may establish an endowment fund for the purpose of supporting a library owned or operated by the town. The endowment may receive all gifts, grants, or contributions designated for inclusion in the endowment. No part of the endowment shall revert to the general fund of the town. The endowment shall be established and administered by the governing body of the town or by a nonprofit entity created or approved by the governing body for such purpose. This bill is identical to SB 890.

**HB 1559 DUI; ANY PERSON CONVICTED OF SUBSEQUENT OFFENSE IS GUILTY OF CLASS 6 FELONY, ETC.**

This bill provides that any person convicted of a felony DUI offense (including DUI manslaughter and DUI maiming, by motor vehicle or watercraft) is guilty of a Class 6 felony for any subsequent DUI conviction, that punishment includes a mandatory minimum term of imprisonment of one year, and the person is subject to the same driver's license revocation provision as for a third or subsequent DUI conviction within 10 years, which means that the person can petition for reinstatement of his driver's license five years after the date of his last conviction. This bill is identical to SB 1272.

**HB 1561 LOCAL POLICE DEPARTMENTS; COOPERATION AGREEMENTS WITH PRIVATE POLICE DEPARTMENTS CERTIFIED BY DCJS.**

This bill allows localities to enter into reciprocal agreements with private police departments that are certified by the Department of Criminal Justice Services. This bill is identical to SB 1047.

**HB 1562 DANGEROUS AND VICIOUS DOGS; WHEN OWNER IS CHARGED WITH A VIOLATION, OFFICER SHALL CONFINE DOG, ETC.**

This bill authorizes an animal control officer or law-enforcement officer to apply to a magistrate for a summons where the officer believes that the owner of a vicious dog has willfully failed to comply with the law. When the owner of a dangerous dog has willfully failed to comply with the law, the bill authorizes an officer to confine the dog. The bill also clarifies the distinctions between dangerous dogs and vicious dogs, requires the owner of either type of dog to provide basic care while confining the animal, and authorizes a court to order the owner to pay for the care of a dangerous or vicious dog while it is in state custody. This bill is identical to SB 828.

**HB 1563 BURIAL SERVICES; CEMETERY BOARD TO DEVELOP PROCESS TO ENSURE CONSUMERS GET ACCURATE COST ESTIMATES.**

This bill provides that the Cemetery Board shall develop a process whereby a consumer is provided with a current general price list or itemized statement of charges by a cemetery company prior to the execution of a contract for such services.

**HB 1564 DRUGS; ADMINISTRATION BY A PERSON TO A CHILD IN PRIVATE SCHOOL.**

This bill allows the administration of drugs by a person to a child in a private school that is accredited by the Virginia Council for Private Education and exempt from licensure by the Board of Social Services, or in a private school that is accredited by the Virginia Council for Private Education in accordance with standards prescribed by the Board of Education, provided the person has completed an approved training program, obtained written authorization of the parent, and administers drugs dispensed from a pharmacy and maintained in the original labeled container only to the child identified on the prescription label and in accordance with the prescriber's instructions. This bill is identical to SB

807.

**HB 1569 CRIMINAL JUSTICE TRAINING ACADEMIES;  
SOVEREIGN IMMUNITY OF TRAINERS CERTIFIED BY DCJS,  
ETC.**

This bill expands the immunity from civil liability that exists for any criminal justice training academy and its directors, officers, and employees to include (i) any trainer at the academy if he has been certified by the Department of Criminal Justice Services and (ii) any person who is a criminal justice training academy approved instructor. This bill is identical to SB 1045.

**HB 1573 FINANCIAL INSTITUTIONS; CONTRACT PROVISION  
REQUIRING AMENDMENT OR WAIVER TO BE IN WRITING,  
ETC.**

This bill provides that if any written contract to which a financial institution is a party contains a provision to the effect that no amendment or waiver of any terms or provisions of the contract is valid unless it is in writing, then any amendment or waiver of any terms or provisions of that contract by conduct, course of practice or dealing, or otherwise shall not apply to future rights and obligations under that contract unless it is in writing. This bill is identical to SB 917.

**HB 1577 TANF; RESTRICTIONS ON USE OF CASH  
ASSISTANCE, NOT TO ACCESS CASH THROUGH  
ELECTRONIC TRANSACTION.**

This bill prohibits the use of Temporary Assistance for Needy Families benefits in any electronic benefit transaction (i) for the purchase of alcoholic beverages, tobacco products, lottery tickets, or sexually explicit visual materials or (ii) in any government store established for the sale of alcoholic beverages, establishment in which pari-mutuel wagering or charitable gaming is conducted, establishment in which tattooing or body-piercing is performed for hire or consideration, or adult entertainment establishment in which performers appear nude or partially nude. The bill incorporates HB1307 and HB 2153. This bill is identical to SB 1180.

**HB 1582 ARMED SECURITY OFFICERS; PROTECTION OF SCHOOLS AND CHILD DAY CENTERS.**

This bill permits any armed security officers licensed by the Department of Criminal Justice Services to carry firearms onto private or religious school property if such officer is hired by the private or religious school to provide protection to students and employees. The bill also prohibits the Board of Social Services from adopting any regulations that would prevent a child day center from hiring an armed security officer.

**HB 1583 VACANT BUILDING REGISTRATION; INCREASES MAXIMUM ANNUAL FEE THAT ORDINANCE MAY IMPOSE ON OWNER.**

This bill increases from \$25 to \$100 the maximum annual registration fee that a local ordinance may impose on the owner of a vacant building that meets the definition of "derelict building" under § 15.2-907.1. The bill increases the civil penalty for failing to register a building from \$50 to \$200 and raises from \$250 to \$400 the maximum civil penalty for failing to register a building that is located in a designated conservation and rehabilitation district or in an area designated as blighted. The bill incorporates HB 1621.

**HB 1586 ARTS AND CULTURAL DISTRICTS, LOCAL; TAX INCENTIVES.**

This bill permits a locality to include the rebate of real estate property taxes among the tax incentives it makes available in an arts and cultural district established by ordinance. Current law provides for reductions in three other types of taxes or fees as examples of permissible incentives. SB 1065 is identical to this bill.

**HB 1587 ABC; CONTEMPLATED ACTIONS BY BREWERY OR BEER WHOLESALER.**

This bill empowers the Alcoholic Beverage Control Board to render a determination in response to a petition by any beer wholesaler against a brewery, or by any brewery against a beer wholesaler, in which the petitioner alleges that the respondent named in the petition as a matter of

past or present fact has violated or attempted to violate, or has contemplated action that if carried out would violate, any provision of the Beer Franchise Act or subdivision 1 c of § 4.1-225. The bill also provides that the ABC Board may, if it finds that a brewery or beer wholesaler has frivolously maintained a petition or defense to a petition pursuant to the Beer Franchise Act, award reasonable costs and attorney fees to the prevailing party. The bill provides that the Board shall have the responsibility to promptly issue a written determination as to whether such violations or attempted violations have occurred or whether such violations would occur if such contemplated action of a named party were to be carried out. The bill requires the parties first to attempt a good faith resolution of the issue in question before petitioning the ABC Board.

**HB 1588 PHYSICIAN LOAN REPAYMENT PROGRAM;  
EXTENDS ELIGIBILITY.**

This bill extends eligibility for the Physician Loan Repayment Program to graduates of accredited medical schools who are currently employed in a geriatrics fellowship and who agree to a minimum two-year period of medical service in the Commonwealth.

**HB 1589 DERELICT NONRESIDENTIAL BUILDING OR  
STRUCTURE; DEMOLITION BY LOCALITY.**

This bill authorizes a locality to demolish or remove a derelict nonresidential structure and to file a lien against the property for the cost of the demolition or removal. The bill requires the locality to obtain the written consent of the property owner, and the property owner shall make a reasonable effort to obtain consent from the holder of any first lien mortgage or first lien deed of trust for such demolition or removal. The bill prohibits the use of the authority to remove a building that is located in a local historic district or individually designated as a historic landmark. This bill is identical to SB 744.

**HB 1594 SMALL ESTATES; CHECKS AND NEGOTIABLE  
INSTRUMENTS.**

This bill provides that if the successor to a decedent receives certain small assets in the form of checks, drafts, or other negotiable instruments that are payable to the decedent, the successor may endorse or negotiate

such checks, drafts, or other negotiable instruments.

**HB 1595 CONDOMINIUM AND PROPERTY OWNERS' ASSOCIATION ACTS; IMPOSITION OF LATE FEES FOR ASSESSMENTS, ETC.**

This bill provides that, except to the extent that the governing documents or rules and regulations promulgated pursuant thereto provide otherwise, (i) condominium and property owners' associations may impose a late fee for any assessment or installment thereof that is not paid within 60 days of the due date for payment of such assessment and (ii) such late fee shall not exceed the penalty provided in § 58.1-3915 (five percent).

**HB 1598 REAL PROPERTY TAX; BOARDS OF EQUALIZATION.**

This bill modifies several provisions governing boards of equalization including (i) modifying qualifications for membership of certain boards; (ii) authorizing boards to receive complaints electronically as long as taxpayers may also file complaints on paper forms; (iii) prohibiting a board to deny relief based on a lack of information from the taxpayer as long as certain specified information is provided; (iv) providing procedures by which a taxpayer may appoint a representative; (v) providing procedures to be followed before a board may increase assessments on certain types of property; and (vi) setting deadlines for consideration of certain information.

**HB 1601 CIVICS EDUCATION, COMMISSION ON; EXTENDS SUNSET PROVISION.**

This bill extends the sunset date for the Commission on Civics Education to July 1, 2016. The bill also repeals the provision that made the existence of the Commission contingent on continued funding in a general appropriation act.

**HB 1604 PRIVATE SECURITY SERVICES BUSINESSES; CARRYING FIREARM IN COURSE OF DUTIES.**

This bill prohibits the Criminal Justice Services Board from adopting any regulation that would prevent an employee of any electronic security

---

---

business, other than an alarm respondent, or a locksmith from carrying a firearm in the course of that person's duties when such person has been issued and carries with him a valid concealed handgun permit.

**HB 1606 PROSTITUTION; SOLICITATION OF A MINOR, PENALTY.**

This bill provides that, in addition to the current Class 1 misdemeanor punishment for solicitation of prostitution generally, any person who solicits prostitution from a minor (i) 16 years of age or older is guilty of a Class 6 felony or (ii) younger than 16 years of age is guilty of a Class 5 felony. This bill is identical to SB 1015.

**HB 1607 PROPERTY AND CASUALTY INSURANCE POLICIES; ELECTRONIC NOTICES, ETC.**

This bill removes provisions that prevent property and casualty insurers from delivering electronically notices of cancellation of certain policies of property or casualty insurance.

**HB 1609 HIGHER EDUCATION; MENTAL HEALTH TREATMENT COORDINATION FOR CERTAIN STUDENTS.**

This bill provides that the governing board of each public four-year institution of higher education may establish written memoranda of understanding with its local community services board or behavioral health authority and with local hospitals and other local mental health facilities in order to expand the scope of services available to students seeking treatment. The bill requires each memorandum to designate a contact person to be notified when a student is involuntarily committed or when a student is discharged from a facility and consents to such notification. The bill also requires each memorandum to include the institution in the post-discharge planning of a student who has been committed and intends to return to campus, to the extent allowable under state and federal privacy laws. This bill is identical to SB 1342.

**HB 1610 FINANCIAL INSTITUTIONS; IDENTIFICATION OF JOINT ACCOUNTS.**

This bill eliminates the requirement that financial institutions maintain or make available forms for the creation of both joint accounts with survivorship and joint accounts without survivorship. A financial institution

may elect to make one or both forms available to persons opening joint accounts.

**HB 1615 VIRGINIA RESIDENTIAL PROPERTY DISCLOSURE ACT; DISCLOSURE OF METHAMPHETAMINE LABORATORY.**

This bill requires the owner of residential property or a landlord of a residential dwelling unit who has actual knowledge that the residential property was previously used to manufacture methamphetamine and has not been cleaned up in accordance with Department of Health guidelines to provide a written disclosure when selling or renting the property. The bill gives a tenant certain remedies if such disclosure is not provided when required. The bill contains a technical amendment and has a delayed effective date of July 1, 2014, for the disclosure provisions.

**HB 1617 STUDENT ORGANIZATIONS; RELIGIOUS OR POLITICAL ORGANIZATIONS MAY DETERMINE CORE FUNCTIONS, ETC.**

This bill permits, to the extent allowed by law, religious or political student organizations at public institutions of higher education to determine that only persons committed to the organization's mission may conduct certain activities. The bill also prohibits, to the extent allowed by law, public institutions of higher education from discriminating against a student organization that makes such a determination. This bill is identical to SB 1074.

**HB 1618 CIVIL CASES; CONDUCT OF BUSINESS ACTIVITY, PERMISSIBLE VENUE.**

This bill provides that Category B venue exists where a defendant that is not an individual has its principal office or principal place of business. Currently, Category B venue exists where the president or other chief officer of a defendant that is a corporation resides. The bill also provides that Category B venue exists where a defendant regularly conducts substantial business activity or where such activity was conducted before the defendant's withdrawal from the Commonwealth provided there exists any practical nexus to the forum. There is no current requirement for such a practical nexus. The bill is identical to SB 1337.

**HB 1619 SECURE INPATIENT TREATMENT HEARINGS;  
REPORT TO COUNSEL FOR RESPONDENT.**

This bill provides that copies of all reports evaluating the condition of a respondent in a hearing for continuation of secure inpatient treatment shall be provided to counsel for the respondent.

**HB 1622 EMERGENCY MEDICAL SERVICES PROVIDERS;  
BOARD OF HEALTH SHALL PRESCRIBE REGULATION,  
PROCEDURES, ETC.**

Eliminates the requirement that the Board of Health's regulations governing recertification of emergency medical services providers include certain provisions related to testing and other requirements. This bill is identical to SB 790.

**HB 1627 REAL PROPERTY; VDOT TO CONVEY A PARCEL OF  
PROPERTY OWNED BY DEPARTMENT IN FAUQUIER  
COUNTY, ETC.**

This bill authorizes VDOT to convey certain real property in Fauquier County owned by the Department in exchange for other real property in Fauquier County to be used for a park-and-ride.

**HB 1629 EEL POTS; AUTHORIZES BOARD OF GAME &  
INLAND FISHERIES TO ISSUE AN ANNUAL PERMIT TO USE  
IN BACK BAY.**

This bill authorizes the Board of Game and Inland Fisheries to issue an annual permit to use eel pots in the waters of Back Bay and the North Landing River and their tributaries. The annual permit fee to catch eels for commercial purposes is \$50 and the annual permit fee to take eels for personal use is \$17.50. The bill requires a nonresident to purchase a harvester's license for each boat used in taking eels at a cost of \$350 per boat, unless he already holds a nonharvester's license to take other types of finfish in inland waters. This fee is in addition to the permit fee for eel pots.

**HB 1630 VIRGINIA REAL ESTATE TIME-SHARE ACT;  
DEVELOPER CONTROL IN TIME-SHARE ESTATE PROGRAM,  
ETC.**

This bill provides that in addition to the current developer control termination provisions and to the extent that the purchase contract or time-share instrument does not expressly provide otherwise, the developer control period shall terminate when the developer is no longer the beneficiary on deeds of trust secured on at least 20 percent of the time-share estates. Under current law, the transfer must occur when the developer has (i) transferred to purchasers legal or equitable ownership of at least 90 percent of the time-share estates or (ii) completed all of the promised common elements and facilities comprising the time-share estate project, whichever occurs last. Under the bill, the commissioner of accounts to whom an account of sale is returned in connection with the foreclosure shall be entitled to a fee, not to exceed (a) \$70, on each foreclosure of a lien on a time-share estate for unpaid past due regular and special assessments and (b) \$125 per foreclosure of a purchase money deed of trust taken back by the developer. The bill includes a second enactment clause stating the intent of the General Assembly that the provisions of the bill relating to the developer control period shall apply retroactively to all registered time-share projects to the extent that the purchase contract or time-share instrument does not expressly provide otherwise. The bill is a recommendation of the Virginia Housing Commission. This bill is identical to SB 722.

**HB 1632 MOTOR VEHICLE DEALERS; IMPOSITION OF  
FINANCIAL PENALTIES, WARRANTY AND SALES  
INCENTIVE OBLIGATIONS.**

This bill extends the protection that dealers currently retain for chargebacks to administrative fees and other penalties. Current law protects dealers who seek to challenge chargebacks for warranty and sales incentive claims from having the disputed amounts taken from open accounts with the manufacturer while the dispute is ongoing. This bill extends this protection to dealers challenging a manufacturer's imposition of administrative fees and other penalties. This bill contains technical amendments and is identical to SB 1051.

---

---

**HB 1633 BEAUTIFICATION PROJECTS, LOCAL; LOCALITIES TO PROVIDE 30-DAY WRITTEN NOTICE TO COMMISSIONER OF VDOT.**

This bill requires localities that intend to install plant materials in a public right-of-way in connection with a local beautification project to provide advance notice thereof to VDOT. The bill requires any locality that violates the law in carrying out such project to bear the cost of bringing the project into compliance with the law.

**HB 1635 JAIL FACILITIES, TEMPORARY; CHESAPEAKE ALLOWED CERTAIN WAIVERS FOR CURRENT TEMPORARY STRUCTURES.**

This bill allows the City of Chesapeake to receive a waiver from the construction requirements of the "Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities" for a jail enlargement project using a temporary structure for housing community custody inmates. The bill contains an emergency clause. This bill is identical to SB 729.

**HB 1637 PARENTAL RIGHTS; PROCEDURE FOR RESTORING TO PARENT WHOSE RIGHTS TO HIS CHILD HAVE BEEN TERMINATED.**

This bill creates a procedure for restoring parental rights to a parent whose rights to his child have previously been terminated when the child is at least 14 years of age and the child has not achieved his permanency goal. The bill also provides that the juvenile and domestic relations court may appoint a special advocate to provide services to a child who is the subject of judicial proceedings for the restoration of parental rights. This bill is identical to SB 1076.

**HB 1638 MILITARY AFFAIRS, DEPARTMENT OF; PROVIDING OF FLAG TO NEXT OF KIN.**

This bill adds the Virginia State Defense Force to the list of organizations that receive state appropriations for presentation of a flag of the Commonwealth to the next of kin of a person who, upon his death, was serving in, or honorably served for a period of 20 years in and retired from,

the Virginia State Defense Force. Current law lists the National Guard and the naval militia and recognizes service in the National Guard only. This bill is identical to SB 1056.

**HB 1639 VIRGINIA FREEDOM OF INFORMATION ACT; EXEMPTS CORRESPONDENCE OF MEMBERS OF GENERAL ASSEMBLY & AIDES.**

This bill clarifies by defining "member of the General Assembly" that the working papers and correspondence of the legislative aides of members of the General Assembly are not subject to the mandatory disclosure provisions of FOIA when the aides are working on behalf of the member.

**HB 1640 CHILD CARE PROVIDERS; BACKGROUND CHECKS FOR ELIGIBILITY FOR CHILD CARE SUBSIDY PAYMENTS.**

This bill requires any person seeking to enter into a contract with the Department of Social Services or a local department of social services for the provision of child care services for which subsidy payments may be paid to undergo a background check, and authorizes the dissemination of criminal history record information to the Department of Social Services or local department of social services for the purpose of screening such individuals.

**HB 1641 PROFESSIONAL AND OCCUPATIONAL REGULATION, DEPARTMENT OF; POWERS AND DUTIES OF REGULATORY BOARDS.**

This bill requires any regulator board within the Department of Professional and Occupational Regulation to provide a regulant subject to a disciplinary action with a notice advising the regulant of his right to be heard at an informal fact-finding conference pursuant to the Administrative Process Act. The bill requires that the notice state that if the regulant does not request an informal fact-finding conference within 30 days of receipt of the notice, the board may issue a case decision with judicial review of the case decision. If the regulant asserts his right to be heard prior to the board issuing its case decision, the board shall remand the case to an informal fact-finding conference. The bill provides that the required notice is to be sent by certified mail, return receipt requested or, if agreed to by the parties, electronic means, provided that the board retains sufficient proof of the

electronic delivery, which may be an electronic receipt of delivery, a confirmation that the notice was sent by facsimile, or a certificate of service prepared by the sender confirming the electronic delivery. The bill is identical to SB 1179.

**HB 1642 PARENTAL RIGHTS; FUNDAMENTAL RIGHT TO MAKE DECISIONS CONCERNING UPBRINGING, ETC., OF THEIR CHILD.**

This bill provides that a parent has a fundamental right to make decisions concerning the upbringing, education, and care of the parent's child. The bill further provides that the provisions of the bill codify the opinion of the Supreme Court of Virginia in *L.F. v. Breit*, issued on January 10, 2013, as it relates to parental rights. This bill is identical to SB 908.

**HB 1643 PROTECTIVE ORDERS; EXEMPT FROM STAY PENDING APPEAL.**

This bill clarifies that a protective order entered due to a violation of an initial protective order shall remain in effect upon petition for or the pendency of an appeal. The bill also includes family abuse protective orders issued in conjunction with a family abuse disposition among other protective orders that are not stayed upon appeal. This bill is a recommendation of the Committee on District Courts. The bill is identical to SB 1016.

**HB 1645 TRADESMEN; BOARD FOR CONTRACTORS SHALL EVALUATE CONTINUING EDUCATION REQUIREMENTS, REPORT.**

This bill provides that licenses for tradesmen shall be valid for three years from the date of issuance by the Board for Contractors. This measure is an attempt to sync changes to the Uniform Statewide Building Code, which are on a three-year cycle, to the expiration of a tradesman license, which is currently every two years.

---

---

**HB 1646 COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND FAMILIES; ELIGIBILITY FOR STATE POOL OF FUNDS.**

This bill provides that foster care services shall include independent living services provided to a former foster child who is over the age of 18 years but who has not yet reached the age of 21 years, and that a former foster child receiving such services shall be eligible for funding through the Comprehensive Services for At-Risk Youth and Families program.

**HB 1648 LOW-INCOME AND DISABLED CUSTOMERS; DISCOUNTED FEES AND CHARGES FOR CERTAIN.**

This bill provides that any locality that owns a water and sewer system and has a population density of 200 persons or fewer per square mile may by ordinance develop criteria for providing discounted water and sewer fees and charges for low-income and disabled customers. This bill is identical to SB 850.

**HB 1649 PAWNBROKERS AND PRECIOUS METALS DEALERS; RECORDS REQUIRED TO BE MAINTAINED, ETC.**

This bill requires pawnbrokers and precious metals dealers to take a digital image of the form of identification used by the person pawning, pledging, or selling the goods or articles, and requires such identification to bear a photograph of the person. The bill also prohibits a pawnbroker from pawning or accepting goods or articles if the original serial number affixed to the good or article has been removed, defaced, or altered.

**HB 1652 ELECTRONIC FILING IN CIVIL PROCEEDINGS; CERTAIN CIRCUIT COURT CLERKS MAY CHARGE AN ADDITIONAL FEE.**

This bill allows, but does not require, a circuit court clerk with an established electronic filing system to charge a \$2 fee for every civil case initially filed by paper. Indigents are exempt from paying the fee. The fee is paid into the clerk's nonreverting local fund to be exclusively used to cover the operational expenses of the electronic filing system.

**HB 1655 MOTOR VEHICLE INSURANCE; ASSIGNMENT OF MEDICAL EXPENSE BENEFITS TO ASSIGNOR'S HEALTH CARE PROVIDER.**

This bill establishes requirements for assigning motor vehicle insurance medical expense benefits to the assignor's health care provider. In order for an assignment to be valid, a copy of the executed assignment of benefits form shall be provided to the motor vehicle insurer. The assignment form is required to include, among other things, statements that the person may want to consult his insurance agent or attorney before signing the form and that he is not required to execute the form to receive care. The assignor is required to receive notice of the effect of the assignment. Subject to certain exceptions, upon receipt of a copy of a valid assignment form, the motor vehicle insurer shall pay directly to the health care provider, from any medical expense benefits available to such person under a motor vehicle insurance policy, any copayments, coinsurance, or deductibles owed by the injured covered person to the health care provider if the covered injured person is covered under a health care policy, the health care provider is an in-network provider, and the health care provider has submitted its claim to the health insurer for the health care services. If the covered injured person is not covered under a health care policy or the health care provider is not an in-network provider, the motor vehicle insurer shall pay directly to the health care provider, from such available benefits, amounts to cover the cost of the health care services provided, in the amount of the usual and customary fee charged in that community for the health care services rendered. A motor vehicle insurer shall be held harmless for making payments to a health care provider pursuant to a valid assignment of benefits.

**HB 1656 WORKERS' COMPENSATION COMMISSION; LOCATION OF OFFICES.**

This bill eliminates a requirement that the offices of the Workers' Compensation Commission be located in a building in the City of Richmond.

**HB 1658 CIRCUIT COURT CLERKS; REVISES VARIOUS POWERS AND DUTIES FOR CERTIFICATION OF RECORDS, ETC.**

This bill revises various powers and duties of circuit court clerks for certification of records, assessment of fees, etc., such as (i) providing that the use of the term "copy teste," "true copy," or "certified copy" is prima facie evidence that a document is a certified copy of the official record kept in the clerk's office; (ii) providing that no judgment for certain assessments or fees shall be recorded as a judgment in favor of the Commonwealth if such assessments or fees have been fully paid by the date of sentencing; (iii) defining "operational expenses," which are funded by certain clerk's fees, to include various technology maintenance and enhancements; (iv) clarifying that a clerk shall forward an abstract of certain convictions to the Department of Motor Vehicles within 18 days after such conviction or, in the case of civil judgments, within 30 days after the judgment has become final; (v) allowing the clerk to maintain records in adoption cases in electronic format; and (vi) repealing the requirement that a clerk verify the accuracy of a record made by him.

#### HB 1666 PROFESSIONAL COUNSELORS; LICENSURE.

This bill clarifies the definitions of "counseling" and "professional counselor" and adds definitions for "residency," "resident," and "supervision." The bill also requires the Board of Counseling to maintain a registry of persons who meet the requirements for supervision of residents and to make the registry of approved supervisors available to persons seeking resident status.

#### HB 1667 ALCOHOLIC BEVERAGE CONTROL; MIXED BEVERAGE LICENSES FOR CERTAIN PROPERTIES IN SMYTH COUNTY.

This bill authorizes the ABC Board to grant mixed beverage licenses to certain properties located in Smyth County, notwithstanding the requirement for a liquor-by-the-drink referendum in those jurisdictions.

#### HB 1668 SOUTHWESTERN VA MENTAL HEALTH INSTITUTE; DBHDS AUTHORIZED TO CONVEY REAL PROPERTY IN SMYTH COUNTY.

This bill authorizes the Department of Behavioral Health and Developmental Services to convey, without consideration, that portion of the real property known as the Southwestern Virginia Mental Health

---

---

Institute located in Marion in Smyth County, which is currently leased by the Mount Rogers Community Services Board, to the Mount Rogers Community Services Board for the purpose of providing services for individuals in need of mental health, developmental, and substance abuse services.

**HB 1670 TRANSIENT OCCUPANCY TAX; ADDS DICKENSON COUNTY TO LIST OF COUNTIES AUTHORIZED TO LEVY.**

This bill adds Dickenson County to the list of counties that may impose a transient occupancy tax not to exceed five percent, rather than the two percent rate available to all counties. Any revenue attributable to any rate over two percent shall be spent solely for tourism and travel promotion purposes. This bill is identical to SB 980.

**HB 1671 ALCOHOLIC BEVERAGE CONTROL; EXEMPTION FROM TIED HOUSE RESTRICTION FOR ONE OUT-OF-STATE WINERY.**

This bill provides an exemption from the tied house restriction for one out-of-state winery, not under common control or ownership with any other winery, that is under common ownership or control with one restaurant licensed to sell wine at retail in Virginia, so long as any wine produced by that winery is purchased from a Virginia wholesale wine licensee by the restaurant before it is offered for sale to consumption.

**HB 1672 NALOXONE; ADMINISTRATION BY UNLICENSED INDIVIDUAL IN CASES OF OPIATE OVERDOSE.**

This bill allows a person to obtain a prescription for and to possess and administer naloxone to a family member or friend for the purpose of counteracting the effects of opiate overdose. The bill also requires the Department of Behavioral Health and Developmental Services to work together with the Department of Health, Department of Health Professions, law-enforcement agencies, substance abuse recovery support organizations, and other stakeholders to conduct pilot programs on the administration of naloxone to counteract the effects of opiate overdose. The bill requires the Department of Behavioral Health and Developmental Services to report on such pilot programs to the General Assembly by December 1, 2014.

**HB 1679 CONCEALED HANDGUN PERMIT; EXCEPTION  
RETIRED INVESTIGATOR OF SECURITY DIVISION OF  
LOTTERY DEPARTMENT.**

This bill provides an exception for a concealed handgun permit for a qualifying retired investigator of the security division of the State Lottery Department. The bill contains technical amendments.

**HB 1681 CHILD LABOR PERMITS; TRANSFERS TASK OF  
ISSUING FROM PUBLIC SCHOOL SUPERINTENDENTS TO  
DOLI.**

This bill transfers the task of issuing child labor permits from public school superintendents to the Department of Labor and Industry through procedures prescribed by the Commissioner of Labor and Industry. Certificates may be issued both directly and electronically.

**HB 1682 MENTALLY INCAPACITATED PERSONS;  
FINANCIAL EXPLOITATION, PENALTY.**

This bill provides that it is unlawful for any person who knows or should know that another person suffers from mental incapacity to, through the use of that other person's mental incapacity, take, obtain, or convert money or other thing of value belonging to that other person with the intent to permanently deprive him thereof. A violation is punishable as larceny.

**HB 1683 COMPREHENSIVE SERVICES, OFFICE OF;  
REPORTING EXPENDITURES FOR CHILDREN RECEIVING  
SERVICES.**

This bill adds community-based mental health services to the list of services for which expenditures must be reported by the Office of Comprehensive Services for At-Risk Youth and Families.

**HB 1684 IDENTITY THEFT; VICTIM ASSISTANCE,  
RESTITUTION, PENALTIES.**

---

This bill raises the punishment for identity theft where five or more persons' identifying information has been obtained, recorded, or accessed in the same transaction or occurrence from a Class 6 to a Class 5 felony and raises the punishment for identity theft where 50 or more persons' identifying information has been obtained, recorded, or accessed in the same transaction or occurrence from a Class 5 to a Class 4 felony. A violation resulting in the arrest and detention of the victim is raised from a Class 6 to a Class 5 felony. This bill is identical to SB 1010.

**HB 1685 GENERAL SERVICES, DEPARTMENT OF;  
CONVEYANCE OF CERTAIN REAL PROPERTY LOCATED IN  
CITY OF RICHMOND.**

This bill authorizes the Department of General Services, with the approval of the Governor, to convey to P&J Properties, Inc., a parcel of land located in the City of Richmond in Shockoe Bottom as described in a survey dated December 5, 2012. Under the bill, the conveyance shall not be deemed a conveyance of surplus property and there shall be no requirement for the payment of any consideration.

**HB 1686 CREDIT UNIONS; LIMIT ON AUTHORIZED  
INVESTMENTS IN CERTAIN PROPERTY, RETAINED  
EARNINGS.**

This bill increases the maximum amount of a credit union's funds that may be invested in its real estate, office buildings, equipment, and furnishings, without the prior written authorization of the Commissioner of Financial Institutions. The measure sets the maximum amount of such investments at five percent of the total of members' share accounts and retained earnings. Currently, the cap is five percent of only such share accounts. Finally, the measure defines "retained earnings" as undivided earnings, regular reserve, reserve for contingencies, supplemental reserves, reserves for losses, and other appropriations from undivided earnings as designated by management or the Bureau of Financial Institutions. This bill is identical to SB 769.

**HB 1692 PUBLIC-PRIVATE TRANSPORTATION ACT;  
RECEIPT OF COMPETING PROPOSALS, DISCLOSURE OF  
BUSINESS POINTS.**

This bill requires public entities to post a notice, when they receive a proposal under the PPTA, and allow a 120-day submission period for competing proposals. The bill requires the notice to include information on the proposal and the public comment opportunities. The bill further requires, after negotiations are complete and a decision to award is made, that the public entity post the major business points of the agreement and outline how the public can submit comments. This bill is identical to SB 977.

**HB 1695 AGRICULTURAL-CUSTOMER GENERATORS, ELIGIBLE; RENEWABLE ENERGY INCENTIVES THROUGH NET METERING, ETC.**

This bill requires the State Corporation Commission to establish a net energy metering program for eligible agricultural customers. Agricultural net metering will allow a customer that operates a solar, wind, or aerobic or anaerobic digester gas facility of up to 500 kilowatts as part of an agricultural business to be served by multiple meters that are located at separate but contiguous sites, provided the generating facility is located on land owned or controlled by the agricultural business and is used to provide energy to metered accounts of the agricultural business.

**HB 1697 REAL PROPERTY TAX; LAND USE VALUATION.**

This bill makes it optional for localities to impose roll-back taxes when the owner of real property that qualifies for special land use valuation has the property rezoned for a more intensive use. Under current law, imposition of such taxes is mandatory.

**HB 1698 CHARTER; TOWN OF CLINTWOOD.**

This bill updates the boundary description in the charter of the Town of Clintwood. Other changes include removing or updating references to outdated town officers, removing outdated provisions related to the mayor's powers, revising council salary provisions, and removing and updating outdated town powers. SB 788 is identical to this bill.

**HB 1699 PERSONAL PROPERTY TAX, TANGIBLE; COMPUTER EQUIPMENT & PERIPHERALS USED IN DATA CENTERS, DEFINITION.**

---

This bill creates a separate classification, for purposes of permitting localities to set a lower personal property tax rate, on computer equipment and peripherals used in a data center. This bill is identical to SB1133.

**HB 1701 DRIVER'S LICENSE APPLICANTS; PERSON WHO FAILS DMV EXAM 3 TIMES MUST TAKE VA DRIVER'S MANUAL COURSE.**

This bill provides that no person who is at least 19 years old and who fails DMV's driver knowledge exam three times can take the exam a fourth time until he successfully completes a course of instruction based on the Virginia Driver's Manual offered by a licensed driver training school.

**HB 1702 COUNSELING, BOARD OF; CONFIRMATION OF APPOINTMENTS BY GENERAL ASSEMBLY.**

This bill provides that all appointments to the Board of Counseling that are made by the Governor shall be subject to confirmation by the General Assembly.

**HB 1703 MUNICIPAL DEED; RESTRICTIONS ON CERTAIN PROPERTY IN VIRGINIA BEACH.**

This bill provides that certain deed restrictions shall include the ability to enter into public-private partnerships with nonprofit entities that provide services for the benefit of veterans and disabled persons.

**HB 1704 PRESCRIPTION MONITORING PROGRAM; DISCLOSURE OF INFORMATION TO CERTAIN AGENTS.**

This bill adds an agent designated by the chief law-enforcement officer of any county or city to the list of individuals to whom the Department of Health Professions must disclose information relevant to a specific investigation of a specific recipient, dispenser, or prescriber upon request, and provides that agents designated by the superintendent of the Department of State Police or the chief law-enforcement officer of a county or city to receive information relevant to a specific investigation of a specific recipient, dispenser, or prescriber shall have completed the Virginia State Police Drug Diversion School. The bill also provides that the

Department may disclose information relating to prescriptions for covered substances issued by a specific prescriber to that prescriber.

**HB 1705 CRIMINAL INJURIES COMPENSATION FUND;  
WRITTEN NOTICE, LIABILITY FOR REASONABLE CHARGES  
FOR SERVICES.**

This bill provides that the Fund has a lien on a victim's claim if an award was made from the Fund. The bill also provides that if the defendant pays restitution, and the Fund has made any payments for expenses included in the restitution order, then at the request of the Fund, the entity collecting the restitution must, upon presentation of a written request, pay as much of the restitution collected to the Fund as will reimburse the Fund for its payments.

**HB 1706 CHARTER; CITY OF NORFOLK.**

This bill shifts the election cycle for the mayor by providing that the person elected mayor at the 2014 election shall be elected for a term of two years only.

**HB 1707 UNEMPLOYMENT COMPENSATION; NOTICES OF  
PENALTIES FOR FRAUDULENT CLAIMS FOR BENEFITS,  
ETC.**

This bill requires the Virginia Employment Commission to provide claimants with notices of the sanctions to which a claimant is subject as a consequence of providing false or misleading statements to obtain state unemployment compensation benefits. The failure of the claimant to receive a notice shall not constitute a defense to any criminal prosecution, administrative fraud disqualification, or action to collect an overpayment of benefits.

**HB 1708 SUMMARY JUDGMENT; USE OF DEPOSITIONS AS  
BASIS FOR MOTION OR TO STRIKE EVIDENCE.**

This bill allows that requests for admission for which the responses are submitted in support of a motion for summary judgment may be based, in

whole or in part, upon discovery depositions and may include admitted facts learned or referenced in such a deposition, provided that any such request for admission shall not reference the deposition or require the party to admit that the deponent gave specific testimony. The bill also allows that a motion for summary judgment seeking dismissal of any claim or demand for punitive damages, except in cases involving driving under the influence, may be sustained when based, in whole or in part, upon discovery depositions.

#### **HB 1709 NONSUITS; DISMISSAL OF ACTION, FEES AND COSTS.**

This bill clarifies that if notice to take a nonsuit is given to the opposing party during trial, the court may assess against the nonsuiting party reasonable witness fees and travel costs of expert witnesses scheduled to appear at trial, which are actually incurred by the opposing party, solely by reason of the failure of the nonsuiting party to give notice at least seven days prior to trial. The bill also provides that invoices, receipts, or confirmation of payment shall be admissible to prove reasonableness of such expert witness costs and may, in the court's discretion, satisfy the reasonableness requirement, without the need for further testimony.

#### **HB 1711 CONDOMINIUM AND PROPERTY OWNERS' ASSOCIATION ACTS; NOTICE TO OWNERS OF ELECTION OF DIRECTORS.**

This bill provides that in the event of the cancellation of any annual meeting at which members of the board of directors are elected, the seven-day notice of any subsequent meeting scheduled to elect such directors shall include a statement that the meeting is scheduled for the express purpose of the election of directors.

#### **HB 1715 CIRCUIT COURT CLERKS; ELECTRONIC FILING AND RECORDS, REMOTE ACCESS.**

This bill makes various changes to the provisions that allow circuit court clerks to provide remote access to certain records and to charge a fee for

such access. The bill also directs that fees assessed for electronic filing of cases and other records and accessing certain records remotely shall be paid to the clerk's nonreverting local fund to be used to cover the clerk's operational expenses.

**HB 1716 CIRCUIT COURT CLERKS; ALLOWED TO ESTABLISH AND MAINTAIN THEIR OWN CASE MANAGEMENT SYSTEMS, ETC.**

This bill allows circuit court clerks to establish and maintain their own case management systems, financial management systems, or other independent technology. Data from a clerk's independent system may be provided directly to designated state agencies or to such agencies through an interface with the systems of the Executive Secretary of the Supreme Court of Virginia. The Executive Secretary shall provide an electronic interface to the data available on his systems to a circuit court clerk upon the clerk's written request. The bill also defines the term "operational expenses" and requires the clerks to submit certain data in a format acceptable to the Central Criminal Records Exchange.

**HB 1717 COMPREHENSIVE PLAN; TRANSPORTATION COMPONENT SHALL BE CONSISTENT WITH STATEWIDE TRANSPORTATION PLAN.**

The bill allows the Department of Transportation and a locality to agree on a time period shorter than 90 days for the Department to provide written comments on the locality's transportation plan. The bill is identical to SB 1293.

**HB 1718 TRANSPORTATION PROJECTS AND PLANNING; REIMBURSEMENT OF VDOT BY LOCALITIES, ETC.**

This bill requires a locality to repay the Department of Transportation when a locality requests termination of a project and the Department does not agree to the termination or the locality or metropolitan planning organization doesn't advance the project. The bill also expands the step before a locality requests alterations to a project to include the design approval by the Chief Engineer.

**HB 1720 ALCOHOLIC BEVERAGES; PERSON NOT REQUIRING EVIDENCE OF LEGAL AGE GUILTY OF CLASS 3 MISDEMEANOR, ETC.**

This bill provides that it is a Class 3 misdemeanor to sell alcoholic beverages to an individual under 21 years of age if the seller does not require the individual to present bona fide evidence of legal age indicating that the individual is 21 years of age or older. Bona fide evidence of legal age is limited to any evidence that is or reasonably appears to be an unexpired driver's license, military identification card, United States passport or foreign government visa, unexpired special identification card issued by the Department of Motor Vehicles, or any other valid government-issued identification card bearing the individual's photograph, signature, height, weight, and date of birth, or which bears a photograph that reasonably appears to match the appearance of the purchaser. The bill excludes student identification cards as bona fide evidence of legal age.

**HB 1721 CHILD ABUSE AND NEGLECT INVESTIGATIONS; TIME LIMIT FOR REPORTS.**

This bill provides that time during which the local department of social services is waiting to receive records that are necessary for the investigation of alleged sexual abuse of a child or alleged abuse or neglect of a child that resulted in the death of the child shall not be counted towards the time limit by which such investigation must be completed.

**HB 1723 CHILD SUPPORT; IMPUTATION OF INCOME, CUSTODIAL PARENT ATTENDANCE IN EDUCATIONAL, ETC., PROGRAM.**

This bill provides that a parent's decision to attend and complete an educational or vocational program that is likely to maintain or increase the parent's earning potential may be considered as a factor in determining whether to impute income to such parent for purposes of the parent's child support obligation. The bill also provides that any child care costs incurred by a custodial parent due to the parent's decision to attend such an education program may also be considered. This bill is identical to SB 718.

**HB 1724 SUBDIVISION ORDINANCE; CHARLOTTESVILLE  
MAY ALLOW DEVELOPER TO CONSTRUCT SIDEWALK ON  
RESIDENTIAL LOT.**

This bill authorizes the City of Charlottesville to alter its subdivision ordinance regarding the requirement that a developer construct a sidewalk along the property under development. The bill permits the City of Charlottesville to give developers the option of contributing funds equal to the cost of constructing the required sidewalk to a city-run sidewalk construction fund for use anywhere in the city.

**HB 1726 NON-GRAVEL EFFLUENT DRAIN SYSTEMS FOR  
ONSITE SEWAGE SYSTEMS; REGULATIONS.**

This bill directs the Board of Health to promulgate regulations for chamber and bundled expanded polystyrene effluent distribution systems for onsite sewage systems and other effluent distribution system technologies for onsite sewage systems as may be deemed necessary by the Board. The bill contains an emergency clause.

**HB 1731 SELF STORAGE UNITS; PROCEDURE FOR LESSORS  
TO SELL SELF STORAGE INSURANCE FOR PERSONAL  
PROPERTY.**

This bill establishes a procedure for lessors of self storage units to sell insurance that provides coverage against loss of or damage to items of personal property stored in a self storage unit in accordance with the terms of the storage unit rental agreement. The lessor will be required to hold a limited lines property and casualty insurance agent license to sell or offer coverage under such policies. The lessor's employees and authorized representatives are not subject to licensure as producers if, among other requirements, the lessor is licensed, maintains a training program, and does not compensate its employees or authorized representatives based primarily on the number of customers purchasing coverage. The measure provides for the issuance of a license to an applicant whose home state does not issue a producer license with a similar line of authority, provided that the license will terminate if his home state does not have a similar line of insurance by July 1, 2017, or a later date determined by the State Corporation Commission. The Commission is authorized to promulgate rules and regulations.

---

---

**HB 1733 WORKERS' COMPENSATION; PEER REVIEW OF SERVICES RENDERED BY PHYSICIANS.**

This bill allows any party to a dispute regarding medical treatment or services that has been referred to a peer review committee to have the matter remanded to the Workers' Compensation Commission if the matter has not been resolved within six months of its referral. A case remanded to the Commission shall not be re-referred to a peer review committee.

**HB 1734 VIRGINIA RESIDENTIAL LANDLORD AND TENANT ACT; TECHNICAL AMENDMENTS.**

This bill provides that where there is more than one tenant subject to a rental agreement, unless otherwise agreed to in writing by each of the tenants, disposition of the security deposit shall be made with one check being payable to all such tenants and sent to the forwarding address provided by the tenants. If the tenants do not provide the landlord a forwarding address to enable the landlord to make a refund of the security deposit, upon the expiration of one year from the date of the end of the 45-day statutory period, the balance of the tenants' security deposit shall escheat to the Commonwealth and shall be paid into the state treasury and credited to the Virginia Housing Partnership Revolving Fund. Upon payment to the Commonwealth, the landlord shall have no further liability to the tenant relative to the security deposit and is deemed in compliance with real estate licensing laws and corresponding regulations of the Real Estate Board. The bill also allows a landlord to proceed to obtain possession of the premises when rent is unpaid within five days after the landlord's pay or quit notice because an electronic fund transfer has been rejected due to insufficient funds or a bad faith stop order on an electronic payment by the tenant. In addition, the bill provides in the case of a month-to-month tenancy for a single family residence the lease may provide for a notice of termination period other than 30 days. Under current law such tenancy may be terminated by either party giving 30 days' notice in writing, prior to the next rent due date, of his intention to terminate. The bill contains technical amendments.

**HB 1735 SCHOOL BOARDS, LOCAL; SALARY INCREASES FOR MEMBERS.**

This bill specifies that salary increases for local school boards representing a city or town established in a year preceding a year in which members are to be appointed or elected shall become effective on July 1 of the year in which the election or appointment occurs if the election or appointment occurs prior to July 1 and shall be become effective January 1 of the following year if the election or appointment occurs after June 30.

**HB 1736 REAL ESTATE BOARD; PROTECTION OF ESCROW FUNDS BY REAL ESTATE LICENSEE, RENTAL AGREEMENT, ETC.**

This bill provides that for any landlord-tenant relationship within the purview of the Virginia Residential Landlord and Tenant Act, any prepaid rent paid more than one month prior to the due date and all security deposits paid to a licensed broker in connection with the lease shall be placed in an escrow account by the end of the fifth business banking day following receipt, unless otherwise agreed to in writing by the principals to the lease transaction. Additionally, any application deposit paid by a prospective tenant for the purpose of being considered as a tenant for a dwelling unit to a real estate licensee acting on behalf of the landlord shall be placed in escrow by the end of the fifth business banking day following approval of the rental application by the landlord. The bill provides that the funds must remain in the escrow account until disbursed in accordance with the lease, property management agreement or by law.

**HB 1739 BANKS; SECURITY DEPOSITS OF GOVERNMENTAL ENTITIES.**

This bill authorizes banks to deposit securities for the purpose of securing deposits of any other state where the bank has a branch office or any agency or political subdivision of such state. Under current law, banks may deposit securities to secure deposits by the Commonwealth and its agencies and political subdivisions.

**HB 1743 INDEPENDENT LIVING SERVICES; FOSTER CHILDREN COMMITTED TO DEPARTMENT OF JUVENILE JUSTICE, ETC.**

This bill provides that local departments of social services and licensed child-placing agencies may make independent living services available to

persons 18 to 21 years of age who are released from commitment to the Department of Juvenile Justice after reaching 18 years of age and who were committed or entrusted to the care of a local board of social services or child-placing agency at the time they were committed to the custody of the Department of Juvenile Justice. The bill expands the definition of "independent living services" to include services provided to a person who is at least 18 years of age but who has not yet reached the age of 21 years who, immediately prior to his commitment to the Department of Juvenile Justice, was in the custody of the local board of social services. The provisions of the bill are contingent on funding in a general appropriation act passed during the 2013 Session of the General Assembly, which becomes law, and the General Assembly has determined that such requirement has been met.

**HB 1744 GRASS AND WEEDS; WRITTEN NOTICE TO PROPERTY OWNERS IN DINWIDDIE COUNTY AND CITY OF HAMPTON, ETC.**

This bill adds the City of Hampton and the County of Dinwiddie to existing provisions related to regulation of the cutting of grass and provides that one notice per incident or per growing season shall constitute reasonable notice to property owners.

**HB 1745 CHILDREN; TAKING INDECENT LIBERTIES, USE OF COMMUNICATIONS SYSTEM TO PROPOSE SEX OFFENSES.**

This bill provides that it shall be unlawful for any person 18 years of age or older to use a communications system, including computers, computer networks, bulletin boards, or any other electronic means, for the purposes of soliciting, with lascivious intent, any person he knows or has reason to believe is a child younger than 15 years of age to knowingly and intentionally propose that any such child feel or fondle his own sexual or genital parts. The provision also applies if the child is at least 15 and the perpetrator is more than seven years older than the child. Currently, it is unlawful to, among other things, propose that the child feel or fondle the sexual or genital parts of such person or propose that such person feel or fondle the sexual or genital parts of the child. The bill also includes in indecent liberties proposing that a child under the age of 15 feel or fondle his own sexual or genital parts. This bill is identical to SB 1031.

**HB 1746 SENTENCING GUIDELINES; DEFINITION OF VIOLENT FELONY.**

This bill adds to the list of violent felonies: killing of a fetus, criminal street gang recruitment using force, strangulation of another, assault and battery when it is a hate crime, felony violation of a protective order, felony infected sexual battery, manufacture bombs, willfully discharging a firearm in a public place resulting in bodily injury, brandishing a machete or other bladed weapon near a school, wearing body armor while committing certain crimes, display of grooming video to child, cross burning, burning object with intent to intimidate, placing a swastika with intent to intimidate, displaying noose with intent to intimidate, treason, escape of sexually violent predator, and unauthorized dissemination of fusion center information resulting in death or serious bodily injury. When an offense falls under the definition of violent felony, sentencing ranges are increased, punishment is statutorily enhanced for certain other offenses, eligibility for participation in a drug treatment court is restricted, there is a presumption against bail for persons illegally present in the United States, the definition of victim for the purpose of compensation of crime victims by the Criminal Injuries Compensation Fund is expanded, registration of tow truck drivers is prohibited, and restoration of voting rights is limited. This bill is identical to SB 1214.

**HB 1748 LIMITED LIABILITY COMPANIES; UPDATES VIRGINIA LIMITED LIABILITY COMPANY ACT, TECHNICAL AMENDMENTS.**

This bill updates the Virginia Limited Liability Company Act to (i) provide a single standard for the execution by foreign limited liability companies of documents; (ii) provide for the perpetual existence of a Virginia limited liability company, which will be presumed unless a specified period of duration is set forth in the articles of organization; (iii) provide a requirement for the inclusion of an identification number in certain documents; and (iv) align annual registration fee assessment and domestication provisions with similar provisions applicable to other business entities. The measure also includes technical amendments.

**HB 1749 LANDLORD AND TENANT LAWS; APPLICATION TO CERTAIN OCCUPANTS OF HOTEL, MOTEL, ETC.**

This bill provides that an occupant in a hotel, motel, extended stay facility, vacation residential facility, boardinghouse, or similar transient lodging shall not be construed to be a tenant living in a dwelling unit under landlord and tenant laws or the Virginia Residential Landlord Tenant Act. The bill provides that if a person resides in such lodging as his primary residence for more than 90 consecutive days or is subject to a written lease for more than 90 days, then landlord and tenant laws or the Virginia Residential Landlord Tenant Act will apply to the occupancy. The bill is a recommendation of the Virginia Housing Commission. The bill is identical to SB 1013.

#### **HB 1750 STUDENTS RESIDING ON MILITARY OR NAVAL RESERVATION; PARTICIPATION IN INTERSCHOLASTIC PROGRAMS, ETC.**

This bill requires any student who resides on a military or naval reservation with military-owned housing located wholly or partly within the geographical boundaries of multiple school divisions to be deemed eligible for interscholastic programs immediately upon enrollment in a public elementary or secondary school in any of the aforementioned school divisions, provided that such persons (i) satisfy all other requirements for eligibility and (ii) are dependents of a military service member required by the military to live on the military installation as evidenced by a statement on command letterhead signed by, or by direction of, the service member's commanding officer. This bill is identical to SB 1191.

#### **HB 1752 PERSONAL REPRESENTATIVES; ACCESS TO DIGITAL ACCOUNTS.**

This bill provides that the personal representative of a deceased minor has the power to assume the deceased minor's terms of service agreement for a digital account with an Internet service provider, communications service provider, or other online account service provider for the purposes of consenting to and obtaining the disclosure of the deceased minor's communications and subscriber records. The provider shall provide the personal representative with access to the deceased minor's communications and subscriber records within 60 days from the receipt of a written request from the personal representative and a copy of the deceased minor's death certificate. This bill is identical to SB 913.

**HB 1753 MEHERRIN RIVER; DESIGNATES 17.8-MILE SEGMENT AS COMPONENT OF VIRGINIA SCENIC RIVERS SYSTEM**

This bill adds the 17.8-mile segment of the Meherrin River lying within Mecklenberg and Lunenburg Counties as a component of the Virginia Scenic Rivers System. The Meherrin River within Brunswick County, a distance of approximately 37 miles, adjoins the new segment and is designated as a scenic river by current law, making the total distance designated as a scenic river approximately 54.8 miles. The bill provides that nothing in the amended section shall preclude the Commonwealth or a local governing body from constructing, reconstructing, or performing necessary maintenance on any road or bridge.

**HB 1755 CHARTER; TOWN OF BEDFORD.**

This bill creates a charter for the Town of Bedford, formerly the City of Bedford. The charter describes the incorporation, boundaries, and powers of the new town; provides for the administration, government, and financial administration of the town through its mayor, council, and town manager; and contains general provisions addressing the continuance of the government of the former city and other matters. SB 1040 is identical to this bill.

**HB 1756 BEDFORD, CITY OF, REVERSION; TAXATION OF REAL PROPERTY THAT BECOMES PART OF BEDFORD COUNTY.**

This bill requires Bedford County to impose real property taxes on property that becomes part of the County as a result of the reversion of the City of Bedford to town status. The property is to be taxed for a short tax year running from the date of the reversion, July 1, 2013, through December 31, 2013. The bill declares an emergency exists and it is effective upon passage. SB 1041 is identical to this bill.

**HB 1757 WETLAND AND STREAM REPLACEMENT FUND; ESTABLISHED.**

This bill establishes a special nonreverting fund known as the Wetland

---

---

and Stream Replacement Fund to receive moneys paid to the State Water Control Board for mitigation of any impacts that a project may have on wetlands. The moneys in the fund are to be disbursed to purchase mitigation bank credits, if available within three years. If no credits are available within the three-year period, other actions are stipulated.

**HB 1759 PERCUTANEOUS GASTROSTOMY TUBE;  
ADMINISTRATION OF MEDICATIONS.**

This bill provides that nothing shall prevent the administration of drugs to a person receiving services in a program licensed by the Department of Behavioral Health and Developmental Services via percutaneous gastrostomy tube when such drugs are administered by a person who has completed an approved training program and has been approved, upon demonstration of competency in administration of drugs via percutaneous gastrostomy tube, by a registered nurse. The bill requires semiannual renewal of approval by a registered nurse, upon demonstration of continuing competency by the person seeking to administer drugs via percutaneous gastrostomy tube.

**HB 1760 SCC; INTEGRATION OF PROCESSES AND FORMS  
BY JUNE 30, 2018, INTO BUSINESS PERMITTING CENTER,  
REPORT.**

This bill requires the State Corporation Commission, by June 30, 2018, to fully integrate processes and forms into the Business Permitting Center administered by the Department of Business Assistance and to process all forms within 48 business hours from the time the applicant submits the form electronically. The bill also provides for the Commission and the Business Permitting Center to report on progress and any barriers to completion biannually to the Governor and the chairmen of the Senate Finance, Senate General Laws and Technology, Senate Commerce and Labor, House Appropriations, and House Commerce and Labor committees. This bill is identical to SB 1137.

**HB 1763 ARREST WARRANTS; JAIL OFFICER EMPLOYED IN  
REGIONAL JAIL OR JAIL FARM MAY EXECUTE.**

This bill authorizes a jail officer employed at a regional jail or jail farm to execute upon a person being held in his jail a warrant, capias, or summons issued anywhere in the Commonwealth. Currently only a person with law-enforcement power may do so.

**HB 1764 VIRGINIA VOTER REGISTRATION SYSTEM; STATE BOARD OF ELECTIONS TO DEVELOP.**

This bill directs the State Board to cooperate with other states to develop systems to compare voters and registration lists in order to ensure accuracy of voter registration rolls, prevent duplicate registration, and determine eligibility of individuals to vote.

**HB 1765 VOTERS; LIST TO STATE BOARD OF ALL REGISTERED VOTERS, NOTIFICATION TO GENERAL REGISTRAR OF FELONY.**

This bill codifies the State Board of Elections current practice to check the monthly list of felony convictions received from the Central Criminal Records Exchange (CCRE) against the registered voters maintained on the voter registration system and notify the appropriate general registrar of any voter who is disqualified to vote due to a felony conviction. The bill also requires that the CCRE provide annually a list of all persons convicted of a felony to the State Board and that the annual list shall be checked against the registered voters maintained on the voter registration system. The bill also provides that the general registrar, in determining the qualification of an applicant to register to vote, shall determine whether the applicant has ever been convicted of a felony and, if so, under what circumstances the applicant's right to vote has been restored.

**HB 1767 MACHINERY AND EQUIPMENT DONATION GRANT PROGRAM; ESTABLISHED.**

This bill establishes a fund for a grant program for business donations of new machinery and equipment, purchased within the last 12 months by the business, to Virginia's community colleges and vocational schools. The machinery and equipment are to be principally used in Virginia in teaching or training students of the donee community college or vocational school, and the recipient community college or school must certify that the machinery or equipment was needed. The grant would equal 20 percent of

the purchase price paid by the business for the machinery and equipment. However, a business would not be allowed more than an aggregate of \$5,000 of grants in any year for such donations. The bill is contingent upon funding in a general appropriation act passed by the 2013 Session of the General Assembly, which becomes law.

**HB 1769 HEALTH INSURANCE; SCC, ET AL., TO PERFORM PLAN MANAGEMENT FUNCTIONS, REVIEW OF PREMIUM RATES.**

This bill authorizes the State Corporation Commission (SCC) to perform plan management functions for participation in the federal health benefit exchange established by the Secretary of the U.S. Department of Health and Human Services pursuant to § 1321 of the Patient Protection and Affordable Care Act. This obligation is contingent upon the availability of full funding, technology infrastructure being made available to the SCC, there being no other impediments that effectively prevent the SCC from performing any required plan management functions, and that the performance of such plan management functions is not deemed to establish a health benefit exchange pursuant to § 1311 of the Patient Protection and Affordable Care Act. In addition, the SCC's obligation to perform plan management functions is contingent upon receiving federal funding sufficient to pay the operating expenses necessary to carry out the functions. The SCC may contract with and enter into memoranda of understanding to carry out its plan management functions with any state or federal agency. The measure also authorizes the SCC to review and approve accident and sickness insurance premium rates applicable to health benefit plans in the individual and small group markets and health benefit plans providing health insurance coverage in the individual market through certain non-employer group plans. The power to review and approve rates is a condition to the SCC being found to be an effective regulator of such rates. The measure provides that no agent, employee, officer, or agency of the Commonwealth is authorized to take any action to establish, or that could be deemed to establish, a health benefit exchange pursuant to § 1311 of the Patient Protection and Affordable Care Act. Finally, the measure authorizes the Virginia Department of Health to assist in the plan management functions. This bill is identical to SB 922.

**HB 1770 NATURAL GAS UTILITIES; ELIGIBLE SAFETY ACTIVITY COSTS TO BE RECOVERED AS DEFERRED COSTS.**

This bill permits natural gas utilities to recover certain safety activity costs incurred on or after January 1, 2013, in future rates by accounting for them as deferred costs. The amount deferred shall not exceed four percent of the natural gas utility's net plant investment that was utilized in establishing or confirming the utility's base rates. The utility shall be deemed to have recovered eligible safety activity costs to the extent that the return on equity earned by the utility in an earnings test filing for a year, after consideration of the treatment of regulatory assets, is in excess of the mid-point of the rate of return on equity range specified or confirmed in the natural gas utility's most recent rate case or performance-based regulation plan. If a utility's base rates include eligible safety activity costs, the utility shall only be permitted to defer the level of eligible safety activity costs that are in excess of the level reflected in base rates. This bill is identical to SB 1287.

**HB 1771 GAS SEVERANCE TAXES, LOCAL; VALIDATION OF COAL & GAS SEVERANCE TAX & ROAD IMPROVEMENT TAX ORDINANCE.**

This bill makes technical amendments that provide a period of time in which natural gas companies may appeal a local gas severance tax assessment made on or after January 1, 2014, for license years 2014, 2013, 2012, or 2011. In 2012, the General Assembly passed legislation delaying the time period in which natural gas companies could appeal gas severance tax assessments and suspending the collection of gas severance tax assessments. The bill creates a time period in which natural gas companies may appeal such assessments. The bill is identical to SB 1111.

**HB 1772 DEPARTMENT OF CORRECTIONS; ELECTRONIC NOTICE.**

This bill provides that the Department of Corrections may use electronic means to provide notice to the appropriate parties prior to the release of a prisoner. Under current law, the Department may only provide such notice using first-class mail. The bill contains technical amendments. This bill is identical to SB 1208.

**HB 1778 MAMMOGRAPHY; PROVIDER MUST NOTIFY PATIENT ABOUT DENSE BREAST TISSUE.**

---

---

This bill clarifies the conditions under which a mammography services provider must notify a patient of dense breast tissue. The bill provides that such notice must be sent to patients who are determined by the interpreting physician to have heterogeneously dense or extremely dense tissue, as defined in nationally recognized guidelines or systems for breast imaging reporting of mammography screening, including the Breast Imaging Reporting and Data System and any equivalent new terms, and modifies the existing language of the notice.

**HB 1783 CONTRABAND CIGARETTES, TAX-PAID;  
INCREASES PENALTY FOR POSSESSION WITH INTENT TO  
DISTRIBUTE.**

This bill increases the penalty for possession with intent to distribute more than 25 but fewer than 500 cartons of tax-paid cigarettes by a person other than an authorized holder from a Class 2 to a Class 1 misdemeanor for a first offense and from a Class 1 misdemeanor to a Class 6 felony for a second or subsequent offense. The bill also imposes a Class 6 felony for possession, with intent to distribute, of 500 or more cartons of tax-paid cigarettes by a person other than an authorized holder and a Class 5 felony for a second or subsequent offense. This bill is identical to SB 1017.

**HB 1784 ACCIDENT AND SICKNESS INSURANCE;  
INDIVIDUAL OPEN ENROLLMENT PROGRAM.**

This bill repeals the requirement that a health insurer that is, or is successor to, a health services plan provide an open enrollment program for individual accident and sickness contracts. Under the open enrollment program, an individual may purchase a product at any time during the year, with the caveat that the individual serve a 12-month waiting period before services are covered for any preexisting condition. The requirement for such an open enrollment program is inconsistent with guaranteed issue provisions of the federal Patient Protection and Affordable Care Act that prohibit waiting periods for coverage for preexisting conditions and that provide for limited open enrollment periods. The measure also eliminates certain provisions that set a tax rate of 0.75 percent on premiums from policies sold under the open enrollment program, and for taxable years 2013 and thereafter the tax rate will be 2.25 percent. The measure will

become effective January 1, 2014. This bill is identical to SB 780.

**HB 1785 RS & UT; REVENUE DEDICATED FOR PUBLIC FACILITY IN TOWN OF WISE.**

This bill adds the Town of Wise to the list of localities in which a public facility may be constructed or expanded, with the sales and use tax revenue generated in the public facility dedicated to the payment of bonds issued to pay for such construction or expansion.

**HB 1790 VIRGINIA NUCLEAR ENERGY CONSORTIUM AUTHORITY; ESTABLISHED, REPORT.**

This bill establishes the Virginia Nuclear Energy Consortium Authority as a political subdivision of the Commonwealth for the purposes of making the Commonwealth a national and global leader in nuclear energy and serving as an interdisciplinary study, research, and information resource for the Commonwealth on nuclear energy issues. The 17-member board of directors of the Authority is directed to form a nonstock, nonprofit corporation, referred to as the Virginia Nuclear Energy Consortium. Membership in the Consortium is open to specified educational institutions, Virginia-based federal research laboratories, nuclear-related nonprofit organizations, business entities with operating facilities in Virginia that are engaged in activities directly related to the nuclear energy industry, and other persons whose membership is approved by the Consortium's board of directors. The purposes of the Consortium include carrying out the rights, powers, and duties of the Authority and conducting other activities useful in (i) making the Commonwealth a leader in nuclear energy, (ii) serving as an interdisciplinary study, research, and information resource for the Commonwealth on nuclear energy issues, and (iii) raising money on behalf of the Authority in the corporate and nonprofit community and from other nonstate sources. The Consortium is required to report to the Authority on its non-proprietary activities semiannually, and audits of its financial accounts shall be made available in accordance with the provisions of the Freedom of Information Act. This bill is identical to SB 1138.

**HB 1791 PRACTITIONERS; SUSPENSION OR REVOCATION OF LICENSE, ETC., BY HEALTH REGULATORY BOARD.**

This bill prohibits a practitioner of the healing arts whose license,

certificate, registration, or permit has been suspended or revoked by a health regulatory board from engaging in practice pending appeal of the board's order.

#### **HB 1792 GENERAL AND LIMITED PARTNERSHIPS; UPDATES CERTAIN ACTS.**

This bill updates the Virginia Uniform Partnership Act and Virginia Revised Uniform Limited Partnership Act by (i) providing an execution standard for the filing of an amendment to a certificate of limited partnership that names a new general partner when all previous general partners have withdrawn; (ii) providing a requirement for the inclusion of a limited partnership's identification number in certain documents to be filed in the office of the clerk of the Commission; (iii) aligning annual registration fee assessment provisions with similar provisions applicable to other business entities; (iv) providing that a statement of merger is to be made a part of the records of a general partnership with status as a registered limited liability partnership; and (v) providing that an amendment to change the name or principal office address of a limited partnership in its certificate of limited partnership also operates to automatically change these items in a limited partnership's application for registration as a registered limited liability partnership, if it is so registered with the Commission. The measure also includes technical amendments.

#### **HB 1795 CHILD SUPPORT; CONFIDENTIALITY OF GUIDELINES WORKSHEETS IN MEDIATED AGREEMENTS.**

This bill eliminates two provisions requiring the disclosure of financial information obtained for the purposes of completing a child support guidelines worksheet in the course of mediation to the court even when an agreement has not been reached by the parties. Under current law, these provisions conflict with a mediator's duty of confidentiality. This bill is a recommendation of the Committee on District Courts. This bill is identical to SB 1028.

#### **HB 1796 DEATH CERTIFICATE; TIMELY RETURN TO FUNERAL DIRECTOR.**

This bill adds the medical director of an institution in which a death occurred, the chief medical officer or medical director of a hospice or

nursing home in which a death occurred, or an individual to whom the physician in charge of a patient's care for the illness or condition that resulted in death has delegated such authority to the list of individuals who may complete and sign a death certificate in the absence of the physician in charge of a patient's care for the illness or condition that resulted in death, or with such physician's approval.

**HB 1797 TRANSIENT OCCUPANCY TAX; ADDS GREENSVILLE COUNTY TO LIST OF COUNTIES AUTHORIZED TO LEVY.**

This bill adds Greensville County to the list of counties that may impose a transient occupancy tax not to exceed five percent, rather than the two percent rate available to all counties. Any revenue attributable to any rate over two percent shall be spent solely for tourism and travel purposes.

**HB 1799 NATURAL GAS UTILITIES; INVESTMENTS IN QUALIFYING PROJECTS.**

This bill exempts any natural gas utility that serves fewer than 1,000 residential customers and fewer than 250 commercial and industrial customers from the cap on the amount of investments in qualifying projects a natural gas utility may make. Under current law, a natural gas utility's annual investments in qualifying projects shall not exceed one percent of the utility's net plant investment that was used to establish base rates in its most recent rate case. Legislation enacted in 2012 established a mechanism for natural gas utilities to recover the costs of a qualifying project. A qualifying project is an economic development project for which, among other things, the utility has received a binding commitment from the developer or occupant of the proposed project regarding capacity or a financial guaranty from the developer or state or local government in the amount of at least 50 percent of the estimated investment to be made in the proposed project.

**HB 1801 VIRGINIA CONTRACTOR TRANSACTION RECOVERY ACT; CLAIMS REVIEW PROCESS.**

This bill makes several changes to the Virginia Contractor Transaction Recovery Act to clarify the eligibility and assessment requirements for the claims review process including (i) adding a definition of "verified claim," (ii) clarifying the supporting documentation that must be provided by a

claimant, and (iii) detailing efforts that must be taken to attempt collection of an unpaid judgment before a claim may be filed. The bill also removes the requirement for an informal fact-finding conference under the Administrative Process Act prior to the Board for Contractors making a final decision. In addition, the bill removes the requirement for the Board to immediately revoke the license of the contractor against whom the judgment had been obtained upon payment of a claim.

#### **HB 1802 CONTRACTORS, BOARD FOR; CREATION OF RESIDENTIAL AND COMMERCIAL CONTRACTOR LICENSE CATEGORIES.**

This bill authorizes the Board for Contractors to establish separate license categories for residential and commercial contractors for each of the current licensing categories: Class A, B, and C contractor licenses.

#### **HB 1803 MORTGAGE LOAN ORIGINATORS; CONFORMS VIRGINIA STATUTORY LAW TO FEDERAL REGULATIONS.**

This bill conforms Virginia statutory law to federal regulations implementing the Secure and Fair Enforcement for Mortgage Licensing Act. Changes include (i) expanding the definition of a mortgage loan originator to include an individual who represents to the public that he can or will take an application for, or offer or negotiate the terms of, a residential mortgage loan; (ii) clarifying that when an individual acts as a loan originator in financing the sale of his own residence, he is exempt from licensing requirements; (iii) specifying conditions under which an attorney engaged in mortgage loan origination activities is exempt from licensing requirements; (iv) removing the definition of "federal banking agencies"; and (v) defining the term "employee." This bill is a recommendation of the Virginia Housing Commission. This bill is identical to SB 994.

#### **HB 1805 SALTWATER RECREATIONAL FISHING; ALLOWS STATE RESIDENTS 65 AND OLDER TO PURCHASE LIFETIME LICENSE.**

This bill allows Virginia residents 65 years of age and older to purchase a lifetime saltwater recreational fishing license for \$5. This bill is identical

to SB 1213.

**HB 1806 METHAMPHETAMINE; SUBSTANCES USED TO MANUFACTURE.**

This bill adds ammonium nitrate to the list of substances of which the possession of two or more with the intent to manufacture methamphetamine is punishable as a Class 6 felony. The bill also strikes "metal" from the term "lithium metal."

**HB 1807 CONDOMINIUM & PROPERTY OWNERS' ASSOCIATION ACTS; DISCLOSURE OF QUALIFICATION FOR FEDERAL FINANCING.**

This bill requires the disclosure in the respective association disclosure packets for purchasers to include a statement indicating any known project approvals that have been issued by secondary mortgage market agencies and currently in effect.

**HB 1809 COMMONWEALTH TRANSPORTATION BOARD; POWERS AND DUTIES.**

This bill limits the ability of the CTB to reallocate funds from certain local highway projects that are inconsistent with the CTB's Statewide Transportation Plan or the Six-Year Improvement Program.

**HB 1813 BEDFORD, CITY OF, REVERSION; SPECIAL ELECTION FOR CERTAIN COUNCIL MEMBERS.**

This bill requires a special election for members of council for any town that, on July 1, 2013, is both created by a transition from city to town status and enlarged by annexing territory into the town. In an election held on the Tuesday after the first Monday in November 2014, a council member is to be elected to fill the unexpired portion of the term of each council member whose term extends beyond December 31, 2014. The bill provides that no such election is to be held unless the annexation increases the population of the town by more than five percent. The bill also requires the town to conduct a census in order to determine whether the annexation has in fact increased its population by more than five percent. This bill is identical to

SB 1042.

**HB 1815 MEDICAL RECORDS OR REPORTS; METHOD FOR INTRODUCING INTO EVIDENCE.**

This bill provides that the method for introducing into evidence medical records or reports in general district court in a civil action for personal injuries or to resolve a dispute with an insurance company or health care provider also applies to appeals of such action to the circuit court regardless of which party appeals. Currently, the same method only applies if the defendant appeals. This method of introducing medical records or reports into evidence may only be used by a plaintiff in an appeal to circuit court if the plaintiff has not requested an amount on appeal in excess of the damages sought in the general district court.

**HB 1816 METHAMPHETAMINE MANUFACTORY; PENALTY FOR ALLOWING MINOR UNDER AGE 15, ETC., TO BE PRESENT.**

This bill provides that any person 18 years of age or older who knowingly allows a child younger than 15 years of age or a mentally incapacitated or physically helpless person to be present in the same dwelling, apartment, unit of a hotel, garage, shed, or vehicle during the manufacture or attempted manufacture of methamphetamine is guilty of a felony punishable by imprisonment for not less than 10 nor more than 40 years. Currently, the prohibition applies only to a child in care or custody of the miscreant.

**HB 1817 STATE CORPORATION COMMISSION; PAYMENTS AND DISHONORED PAYMENTS.**

This bill authorizes the State Corporation Commission to accept payment of any amount due by check, credit card, debit card, electronic funds transfer, or other means acceptable to it. The Commission is further authorized to add to any amount due a sum, not to exceed the amount charged to the Commission, for acceptance of any payment by a means that incurs a charge to the Commission. The measure directs that a penalty of the greater of \$35 or the amount of any cost the Commission incurs shall be added to amount due if a payment is dishonored.

**HB 1818 COMMONWEALTH'S ATTORNEYS' SERVICES COUNCIL; POWERS AND DUTIES.**

This bill requires the Council to provide information on changes in the law that affect the duties and responsibilities of law-enforcement officers and make such information available to law-enforcement agencies, law-enforcement training academies, and the Department of Criminal Justice Services.

**HB 1820 CIGARETTES; SALE, PURCHASE, POSSESSION, ETC., FOR PURPOSE OF EVADING TAXES, PENALTIES.**

This bill provides that it is a Class 6 felony to sell, purchase, transport, receive, or possess 500 or more packages of unstamped cigarettes and a Class 5 felony for a second offense; under current law, the threshold is 3,000 or more packages and there is no heightened penalty for a second offense. The bill also provides that it is a Class 1 misdemeanor to sell fewer than 500 packages of unstamped cigarettes; under current law the threshold is fewer than 3,000 packages and is a Class 2 misdemeanor.

**HB 1824 VIRGINIA PORT VOLUME; INCREASE TAX CREDIT TO CERTAIN ENTITIES, CLARIFIES DEFINITIONS.**

This bill extends the tax credit beginning in 2013 to growers or producers of (i) wheat, grains, fruits, nuts, crops; (ii) tobacco, nursery, or floral products; (iii) forestry products excluding raw wood fiber or wood fiber processed or manufactured for use as fuel for the generation of electricity; or (iv) seafood, meat, dairy, or poultry products. Under current law, manufacturers and distributors of manufactured goods that ship at least 75 net tons of noncontainerized cargo or 10 loaded 20-foot equivalent units (TEUs) through Virginia port facilities during a calendar year are eligible for an income tax credit if their volume of shipments through such facilities increases by at least five percent over a designated base year volume. The tax credit equals \$50 for each TEU above the base year volume shipped through a Virginia port facility.

**HB 1825 DUCK BLINDS; ESTABLISHES TIME PERIODS FOR PERSON TO OBTAIN STATIONARY BLIND LICENSE.**

This bill establishes time periods for a person to obtain a stationary blind

license. A riparian landowner or his lessee or permittee seeking to license a riparian stationary blind that was not licensed by him the previous year may obtain a license beginning February 1 through June 15. The license would require the licensee to erect a stake or blind, to which the seasonal license plate is affixed, at the blind site by June 30 and replace any such stake with a blind by November 1.

A riparian landowner or his lessee or permittee who licensed a riparian stationary blind the previous year may obtain a license for the blind beginning February 1 through August 15. The license would require the licensee to affix the seasonal license plate to a stake or blind at the blind site by August 31 and replace any such stake with a blind by November 1.

A person seeking a nonriparian license for a stationary blind that he licensed the previous year as a nonriparian stationary blind may purchase a license beginning July 1 through August 15. The license would require the licensee to erect a stake or blind, to which the seasonal license plate is affixed, at the blind site by August 31 and replace any such stake with a blind by November 1. A stationary blind or a site not licensed and posted by August 31 can be licensed as a nonriparian stationary blind by another person from September 1 through October 15, with erection of the blind required by November 1.

The bill has an effective date of January 1, 2014.

#### **HB 1826 LAW-ENFORCEMENT OFFICERS; EXCEPTIONS TO TERRITORIAL LIMITS.**

This bill provides that whenever the necessity arises for the enforcement of laws related to kidnapping, police officers and other officers, agents, and employees of a locality, Capitol Police officers, and campus police may be sent beyond their territorial limits.

#### **HB 1828 RAIL TRANSPORTATION; DRPT TO PURCHASE LAND FOR CONSTRUCTION OF LINES.**

This bill allows the purchase of land for the construction of railway lines by the Department of Rail and Public Transportation for the purpose of alleviating traffic congestion on highways.

**HB 1829 FOXES; USING GPS DEVICE TO MANAGE DOGS WHILE HUNTING, MAY ALSO USE GPS WHILE HUNTING OTHER GAME.**

This bill allows hunters to use a GPS (Global Positioning System) or other electronic tracking device to manage dogs that are hunting or pursuing a fox. Current law distinguishes actually following a dog from "managing" the dog, but it does not explain what managing might encompass. The bill contains technical amendments.

**HB 1830 STATE POLICE, DEPARTMENT OF; ACCIDENT REPORTS MAY BE RETAINED IN HARD COPY OR ELECTRONIC FORM.**

This bill provides that the Department of State Police may retain certain automobile accident reports and furnish copies of such reports in either hard copy or electronic form. Under current law, the Department must retain such reports only in hard copy form. This bill is identical to SB 948.

**HB 1833 CONCEALED WEAPONS AND CONCEALED HANDGUN PERMITS; REORGANIZING & RECODIFYING LAW RELATED TO CARRYING.**

This bill reorganizes the existing § 18.2-308 into a new Article 6.1 in Chapter 7 of Title 18.2. The new article creates separate, discrete sections to address the general criminal prohibition against carrying concealed weapons; the requirements for applying for a concealed handgun permit; the process the circuit court follows in reviewing, issuing, and denying permits; the appeals process procedures for nonresidents to obtain permits; the renewal process disqualifications; and other procedural issues currently addressed in § 18.2-308. The bill also contains numerous technical amendments. This bill does not make any substantive changes to existing law.

**HB 1836 LOCAL BUDGETS; ITEMIZED EXPENDITURES SHALL INCLUDE ANY DISCRETIONARY FUNDS TO BE DESIGNATED, ETC.**

This bill provides that the itemized contemplated expenditures in a local

---

budget shall include any discretionary funds to be designated by individual members of the governing body and the specific uses and funding allocation planned for those funds by the individual member.

**HB 1837 DIVORCE CASES; CONDUCT AN ORE TENUS HEARING.**

This bill allows the court to conduct ore tenus hearings in divorce cases without providing further notice to the defendant if the defendant has been personally served and has failed to appear. Under current law, the court may take depositions without further notice to the defendant if the defendant has been personally served and has failed to appear. As introduced, this bill was a recommendation of the Judicial Council of Virginia. This bill is identical to SB 1046.

**HB 1838 INSURANCE AGENTS; AGENT WHOSE LICENSE HAS BEEN REVOKED, MAY NOT BE EMPLOYED BY AGENT OR AGENCY.**

This bill prohibits an individual whose license has been revoked by the State Corporation Commission, or voluntarily surrendered in lieu of a hearing before the Commission, from directly or indirectly owning and operating, controlling, or being employed in any manner by an insurance agent or agency during the time period in which the individual is unlicensed unless otherwise authorized by the State Corporation Commission.

**HB 1841 VIRGINIA DEFENSE FORCE; ISSUANCE OF LOCAL VEHICLE LICENSE FOR VEHICLES OWNED OR LEASED BY MEMBERS.**

This bill permits localities to issue local vehicle licenses free of charge for vehicles owned or leased by members of the Virginia Defense Force, provided that no Defense Force member shall receive more than one free license.

**HB 1844 PROTECTION AND ADVOCACY, VIRGINIA OFFICE FOR; PRIVATIZATION.**

This bill makes various technical and other statutory changes necessary

to implement the privatization of the Virginia Office for Protection and Advocacy.

**HB 1845 FRAUD AND ABUSE WHISTLE BLOWER REWARD FUND; AMOUNT OF REWARD.**

This bill reduces the minimum recovery required for an award from the Fraud and Abuse Whistle Blower Reward Fund from \$10,000 to \$5,000 and expands the purposes for which the Fund may be used to include supporting the administration of the Fund, defraying Fund advertising costs, and subsidizing the operation of the Fraud, Waste and Abuse Hotline, all expenditures for which are capped at five percent of the Fund. Under the bill, all moneys recovered by the Office of the State Inspector General as a result of whistle blower activity and alerts originating in the Office shall be deposited into the Fund. The bill also provides that by the end of each quarter 85 percent of all sums recovered be remitted to the institutions or agencies on whose behalf the recovered sums were secured, unless otherwise directed by a court of law. In addition, the bill (i) authorizes the State Inspector General to split a reward among multiple whistle blowers reporting the same qualifying incident of wrongdoing or abuse, (ii) requires the State Inspector General to submit an annual report to the General Assembly summarizing the activities of the Fund, and (iii) changes the name of the State Employee Fraud, Waste and Abuse Hotline to the Fraud, Waste and Abuse Hotline. The bill contains technical amendments. The bill is identical to SB 1178.

**HB 1847 CRIMINAL STREET GANG PREDICATE OFFENSES; PENALTIES.**

This bill expands the definition of a predicate criminal act associated with gang activity to include the following crimes: murder, aggravated malicious wounding, reckless endangerment by throwing objects, strangulation of another, possession of infectious biological substances or radiological agents, burglary, entering dwelling house, etc., with intent to commit murder, rape, robbery or arson, grand larceny, receipt of a stolen firearm, manufacturing, distributing, etc., or possessing with intent to manufacture or distribute methamphetamine, discharging firearms or missiles within or at building or dwelling house, use of machine gun for crime of violence, possession or use of "sawed-off" shotgun or rifle, possession of firearm by felon, possession of firearms by persons not legally present, possession of firearms while in possession of controlled substances, felony stalking, felony distribution, etc., of synthetic

---

---

cannabinoids, a felony violation of manufacture, etc., of controlled substances, felony violation of distribution or possession with intent to distribute marijuana, conspiracy to commit a felony violation of manufacture, etc., of controlled substances, conspiracy to commit a felony violation of distribution or possession with intent to distribute marijuana. This bill is identical to SB 1205.

**HB 1849 ALCOHOLIC BEVERAGE CONTROL; OPERATION OF CONTRACT WINEMAKING FACILITIES.**

This bill includes in the privileges for winery and farm winery licensees the ability to operate a contract winemaking facility. In the bill, "contract winemaking facility" is defined as the premises of a licensed winery or farm winery that obtains grapes, fruits, and other plants grown exclusively in Virginia from a person holding a farm winery license and crushes, processes, ferments, bottles, or provides any combination of such services pursuant to an agreement with the farm winery licensee. This bill is identical to SB 1127.

**HB 1850 ASSAULT AND BATTERY; ADDS EMPLOYEES OF LOCAL OR REGIONAL CORRECTIONAL FACILITY.**

This bill adds employees of local or regional correctional facilities to the enhanced penalty provision so that the assault and battery of such an officer who is engaged in the performance of his public duties is a Class 6 felony, with a six-month mandatory minimum term of confinement.

**HB 1852 HOME-PROCESSED FOOD; INSPECTION OF FOOD ESTABLISHMENTS, LABELING OF FOODS WITH NAME OF PREPARER.**

This bill exempts private homes where the resident processes and prepares certain food products, including dried fruits, dry herbs, dry seasonings, nuts, vinegars, dried pasta, dry baking mixes, and cereals, from inspection by the Virginia Department of Agriculture and Consumer Services (VDACS), so long as the resident processing and preparing the product affixes a label to the product that indicates the name, address, and the telephone number of the person preparing the food product and that the residence has not been inspected by VDACS.

**HB 1853 PLANNING, ZONING, ETC., PROCEDURES; LOCAL COMMISSION SHALL CONSULT WITH INSTALLATION COMMANDER.**

This bill requires any local planning commission to consult with the commander of a military installation that will be affected by development within the locality in order to reasonably protect the installation against potential adverse effects of development. This bill is identical to SB 1029.

**HB 1855 VIRGINIA FREEDOM OF INFORMATION ACT; EXEMPTS RECORDS OF DEPARTMENT OF AVIATION.**

This bill exempts from the mandatory disclosure provisions of FOIA (i) documents and other information of a proprietary nature furnished by a licensed public-use airport to the Department of Aviation for funding from programs administered by the Department of Aviation or the Virginia Aviation Board and (ii) records provided to the Department of Aviation by other entities of the Commonwealth in connection with the operation of aircraft, where the records would not be subject to disclosure by the entity providing the records. The bill requires in both instances that the submitting entity identify in writing the records or portions thereof to be protected and state why protection is necessary.

**HB 1856 EMERGENCY MEDICAL SERVICES; BOARD OF HEALTH TO DEVELOP POLICIES RELATED TO STATEWIDE PROVIDERS.**

This bill requires the Board of Health to direct the State Emergency Medical Services Advisory Board to develop and facilitate implementation of (i) a process for informing an emergency medical services provider who has received an adverse decision relating to his authority to provide emergency medical care on behalf of an agency of the process for appealing that decision and (ii) a standard operating procedure template to be used in the development of local protocols for emergency medical services personnel for basic life support services. The bill also requires the Board, in cooperation with the State Emergency Medical Services Advisory Board, to review training for emergency medical services personnel and address disparities in the delivery of training to and availability of training for emergency medical services personnel. The Board shall report on its progress no later than December 1, 2013.

---

---

**HB 1858 PUBLIC SECONDARY SCHOOL STUDENTS; MODEL WAIVER FORM FOR ENTITY PROVIDING OCCUPATIONAL EXPERIENCE.**

This bill requires the Board of Education to develop, by July 1, 2014, a model waiver form for use by any entity providing a career and technical occupational experience for public secondary school students.

**HB 1859 RABIES; LOCAL GOVERNING BODY TO HOLD CLINIC AT LEAST ONCE EVERY TWO YEARS.**

This bill requires a local governing body to ensure that a rabies clinic is conducted to serve the jurisdiction at least once every two years. Currently, a clinic is to be held once a year if the local government finds that the number of resident veterinarians is inadequate to meet the need for rabies vaccination.

**HB 1860 PERSONAL PROPERTY TAX; ADVERTISING SIGNS.**

This bill provides that outdoor advertising signs constitute a separate class of personal property for purposes of assessment, and requires localities to tax such signs as personal property, not as real property. The bill also prohibits such signs or income generated by such signs to be considered in assessing the value of real property. The bill states that an emergency exists and it is in force from its passage. The bill applies to tax years beginning on or after January 1, 2013. This bill is identical to SB 1236.

**HB 1861 RESIDENTIAL PROPERTY; CERTAIN NOTICE OF SALE.**

This bill amends current provisions that require localities in Planning District 8 (Northern Virginia) to be given notice when residential property is subject to a sale under a deed of trust by making those provisions applicable statewide and by requiring notice to be given within 60 days after the sale of the property. The bill also requires common interest community associations to be given such notice when such property is

located within a common interest community.

**HB 1862 SEX OFFENDER AND CRIMES AGAINST MINORS  
REGISTRY ACT; ADD TO LIST OF OFFENSES REQUIRING  
REGISTRATION.**

This bill adds to the list of offenses that require a person to register on the Sex Offender Registry certain offenses comparable to those currently requiring registration where the conviction was under Title 18.1 of the Code of Virginia, which was in effect prior to 1975 when Title 18.2 came into effect. This bill is identical to SB 1032.

**HB 1864 SCHOOL PRINCIPALS; INCIDENT REPORTS.**

This bill clarifies that a local law-enforcement agency is not required to file delinquency charges against a student and that a school and a local law-enforcement agency may deal with school-based offenses through graduated sanctions or educational programming after a school principal reports to a local law-enforcement agency certain acts by such student that may constitute a criminal offense. The bill also requires the Board of Education and the Department of Criminal Justice Services to develop a model cooperative agreement between schools and local law-enforcement agencies for dealing with school-based offenses.

**HB 1866 PUBLIC SCHOOLS; MANDATORY EXPULSION OF  
STUDENTS.**

This bill removes certain weapons from the definition of "firearm" the possession of which by a student on school property or at a school-sponsored activity is punishable by mandatory expulsion from school for at least one year. These are weapons that are not included in the definition of "firearm" in the federal Improving America's Schools Act of 1994 (Part F-Gun-Free Schools Act of 1994).

**HB 1870 MULTIJURISDICTION GRAND JURY; ADDS  
OFFENSE OF RECEIVING MONEY FOR PROCURING  
PERSON.**

---

---

This bill adds the offense of receiving money for procuring a person to the list of offenses that a multijurisdiction grand jury can investigate. This allows such a jury to investigate human trafficking activities.

**HB 1871 BULLYING; DEFINES TERM, SCHOOL BOARDS SHALL INCLUDE POLICIES & PROCEDURE IN CODE OF STUDENT CONDUCT.**

This bill defines the term "bullying" and requires school boards to include in their codes of student conduct policies and procedures that include a prohibition against bullying. The bill also requires the Board of Education to develop model policies and procedures and school boards to adopt policies and procedures to educate school board employees about bullying and the need to create a bully-free environment.

**HB 1872 INVESTMENTS; QUALIFICATION FOR TAX CREDITS, CLARIFIES MEANING OF FUNDING PORTAL, GUIDELINES.**

This bill specifies that investments transacted via an online general solicitation, online broker, or a funding portal shall be eligible for state tax credits, so long as the investment otherwise meets all requirements for earning the particular tax credit.

**HB 1876 STERILIZATION OPERATIONS; FOR PERSONS 18 YEARS OF AGE OR OLDER AND CAPABLE OF INFORMED CONSENT.**

This bill eliminates the requirement for a 30-day waiting period prior to a sterilization operation for persons who are over the age of 18 and capable of giving informed consent who have not previously become the natural or adoptive parent of a child.

**HB 1877 CORRECTIONS AND JUVENILE JUSTICE, DEPARTMENTS OF; POWERS AND DUTIES OF DIRECTOR, ETC.**

---

---

This bill provides the Directors of the Department of Corrections and the Department of Juvenile Justice with the power to designate certain employees with internal investigations authority within those Departments as having the same power as a sheriff or a law-enforcement officer to investigate allegations of criminal behavior affecting the operations of those Departments. The bill also requires such employees shall be subject to any minimum training standard required by the Department of Criminal Justice Services for law-enforcement officers. Finally, the bill requires these Departments to investigate any allegations of criminal behavior in accordance with a written agreement entered into with the Department of State Police. This bill is identical to SB 943.

**HB 1885 HIGHWAYS; VDOT TO DETERMINE PERIODIC QUANTITATIVE RATING ON PAVEMENT CONDITION, ETC.**

This bill requires VDOT to determine a quantitative rating on the pavement condition and ride quality of every highway in the primary and secondary state highway systems at least every five years and to post the ratings on its website.

**HB 1886 VEHICLE TIRE WEIGHT LIMITATIONS; PROHIBITS OVER-THE-ROAD OPERATION OF CERTAIN VEHICLES.**

This bill prohibits operation, for a commercial purpose, of certain vehicles whose tire weight exceeds 125 percent of the tire weight limit guidelines.

**HB 1889 PUBLIC SCHOOLS; TEACHER PERFORMANCE INDICATORS, ETC., IN PERSONNEL FILE SHALL BE CONFIDENTIAL.**

This bill requires performance indicators, or other data used by the local school board to judge the growth or quality of a teacher, to be kept confidential but permits such information to be disclosed pursuant to court order, for the purposes of a grievance proceeding involving the teacher, or as otherwise required by state or federal law.

---

---

**HB 1890 GENERAL SERVICES, DEPARTMENT OF; PUBLIC ACCESS TO STANDARD VENDOR ACCOUNTING INFORMATION.**

This bill requires the Division of Purchases and Supply of the Department of General Services and the State Comptroller to adhere to the adopted data standards and match all purchases of goods, commodities, and other services to the related payment activity and make the matched information available on the Commonwealth Data Point pursuant to subdivision H 3 a of § 30-133. The bill requires that this information be available at a transactional level and be in sufficient detail to make clear what an agency has purchased, when the purchase was made, the vendor from whom the purchase is made, the amount purchased, if applicable, and how much was paid. The bill further requires that by July 15, 2013, the Governor must direct the Division and State Comptroller to take the steps necessary to modify their systems to accomplish the requirements of the bill.

**HB 1892 CHILDHOOD SEXUAL ABUSE; STATUTE OF LIMITATIONS.**

This bill clarifies that the discovery rule used to determine when a cause of action for childhood sexual abuse accrues upon the later of the removal of the disability of infancy or incapacity or when the fact of the injury and its causal connection to the abuse is first communicated to the injured person.

**HB 1900 HEALTH INSURANCE REFORM; REVISES STATE'S LAWS.**

This bill revises Virginia's laws pertaining to the regulation of health insurance and related products in order to be consistent with relevant requirements of the federal Patient Protection and Affordable Care Act (PPACA) that become effective on January 1, 2014. These requirements include addressing premium rate restrictions on health benefit plans providing individual and small group health insurance coverage, prohibiting discrimination based on health status, prohibiting adjustments in the cost of

coverage based on genetic information, requiring individual and small group health insurance coverage to include the essential health benefits as required by the PPACA, limiting waiting periods for health plans offering group health insurance coverage to 90 days, providing for participation in clinical trials, and authorizing health carriers to provide for wellness programs. The measure removes provisions relating to the standard and essential health benefits plans because they include coverage for services that may or may not comport with the essential health benefit package, and enforcement of the existing requirement would conflict with the PPACA. Though not specifically required to maintain conformity with federal law, the measure (i) keeps the existing limits for maximum size for a small group at 50 employees until 2016 and (ii) authorizes the State Corporation Commission to establish geographic rating areas. The bill removes the sunsets that were placed in provisions affected by or enacted as a result of the PPACA, including the external review processes. The measure also prohibits the sale through an exchange of a qualified health insurance plan that provides coverage for abortions, other than those performed when the life of the mother is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself, or when the pregnancy is the result of an alleged act of rape or incest. The measure is effective January 1, 2014.

**HB 1906 VETERANS; DEPARTMENT OF VETERANS SERVICES TO DEVELOP COMPREHENSIVE PROGRAM TO REDUCE UNEMPLOYMENT.**

This bill provides for the Department of Veterans Services to develop a comprehensive program to reduce unemployment among veterans by assisting businesses to attract, hire, train, and retain veterans. The bill is identical to SB 829.

**HB 1907 HANDHELD PERSONAL COMMUNICATIONS DEVICES; MANDATORY MINIMUM FINE WHEN CONVICTED OF RECKLESS DRIVING.**

This bill provides that driving while texting is a traffic infraction punishable, for a first offense, by a fine of \$125 and, for a second or subsequent offense, by a fine of \$250. The current penalties are \$20 for a first offense and \$50 for a second or subsequent offense. The bill also increases the punishment of any person convicted of reckless driving to include a \$250 mandatory minimum fine if the person was texting at the

---

---

time of the reckless driving offense. The bill also changes the offense from a secondary offense (one that can only be charged when the offender is stopped for another, separate offense) to a primary offense. The bill also provides that the Department of Criminal Justice Services shall make training on such offenses available to state and local law-enforcement agencies.

#### HB 1913 MECHANICS' LIENS; LICENSED CONTRACTORS.

This bill provides that a person who is not a licensed contractor may not claim a mechanic's lien if a valid contractor's license or certificate was required by law for the labor performed. The bill also requires that a person include on the memorandum for a mechanic's lien his license or certificate number and the dates such license or certificate was issued and will expire or certify that a license or certificate was not required by law for the labor performed; however, an inaccuracy in such license or certificate information that must be included in the memorandum does not bar the perfection of a mechanic's lien if the lien claimant can otherwise be reasonably identified in the records of the Board for Contractors.

#### HB 1917 ELECTRIC UTILITIES; RENEWABLE THERMAL ENERGY.

This bill expands the definition of "renewable thermal energy" to include the energy output from certain solar energy systems located in the Commonwealth that heat air or water for residential, commercial, institutional, or industrial processes. Under current law, the term encompasses only the energy output from renewable-fueled combined heat and power facilities used in industrial processes. Renewable thermal energy is eligible to satisfy the goals of the renewable energy portfolio standard program. The measure also defines "solar energy system" as a system that produces heat or electricity, or both, from sunlight.

#### HB 1923 WORKER RETRAINING TAX CREDIT; INCREASE IN CREDIT AMOUNT FOR TAX YEARS BEGINNING JANUARY 1, 2012.

This bill increases the worker retraining tax credit for worker retraining

courses taken by employees at private schools from a maximum of \$100 per year per employee to \$200 per year per employee or \$300 per year per employee if the worker retraining includes retraining in a STEM or STEAM (science, technology, engineering, mathematics, or applied mathematics) discipline, including but not limited to a health care related discipline.

**HB 1927 ASSAULT AND BATTERY; ADDS VOLUNTEER FIREFIGHTER OR ANY EMERGENCY MEDICAL SERVICE PERSONNEL, PENALTY.**

This bill adds emergency medical services personnel members who are employed by or volunteers of an emergency medical services agency and engaged in the performance of their public duties to the list of individuals of whom assault and battery may be a Class 6 felony with a six-month mandatory minimum sentence.

**HB 1929 DEER; KILL PERMITS FOR TOWNS.**

This bill authorizes the chief law-enforcement officer of a town to report to the Director of the Department of Game and Inland Fisheries that deer are creating a traffic hazard in the jurisdiction. If after an investigation the Director finds that such a hazard exists, he may authorize responsible persons, or their representatives, to kill the deer.

**HB 1931 EMPLOYEE'S PERSONAL INFORMATION; EMPLOYER NOT REQUIRED TO RELEASE, COMMUNICATE, ETC., TO 3RD PARTY.**

This bill provides that an employer shall not be required to release, communicate, or distribute to a third party any current or former employee's personal identifying information, unless required by federal law, state law, court order, warrant issued by a judicial officer, subpoena, or discovery.

**HB 1933 LYME DISEASE; WRITTEN INFORMATION TO PATIENT WHEN ORDERING LABORATORY TEST FOR PRESENCE OF DISEASE.**

This bill requires physicians to provide to each patient for whom a test for the presence of Lyme disease is ordered a written notice about Lyme disease, about testing for Lyme disease, and about the need for the patient to contact his physician with questions or concerns about Lyme disease. The bill also provides that licensees are immune from civil liability for providing such notice absent gross negligence or willful misconduct. The bill has an expiration date of July 1, 2018.

**HB 1941 CANNABINOIDS, RESEARCH CHEMICALS, SYNTHETIC; PENALTIES. EMERGENCY.**

This bill amends provisions added to the Code in previous years regarding the criminalization of synthetic cannabinoids and chemicals known as "research chemicals" (previously referred to as "bath salts") to add newly identified chemical compounds and structural classes. In addition to adding new chemical compounds as synthetic cannabinoids, the bill adds newly identified structural classes of synthetic cannabinoids so that new chemical compounds that fit within the structural class will nevertheless be considered synthetic cannabinoids without the precise chemical compound having to be added to the Code. The bill contains an emergency clause and incorporates HB 1843.

**HB 1944 ELECTRIC VEHICLES, CONVERTED; FEES FOR INSPECTION.**

This bill allows safety inspectors of converted electric vehicles to charge an additional fee of no more than \$40 for such an inspection.

**HB 1952 HIGHER EDUCATIONAL INSTITUTIONS; BOARD OF VISITORS GOVERNANCE, REPORT.**

This bill adds specific topics to be covered during the educational programs for governing boards and requires such programs to be delivered by the State Council of Higher Education annually. The bill also requires each board of visitors to adopt bylaws with certain provisions relating to the Freedom of Information Act; annually meet with the president of the institution to deliver a review of the president's performance; designate its executive committee to organize the working processes of the board and recommend best practices for board governance; and annually deliver an executive summary of its interim activities to the General Assembly and the Governor. The bill is contingent on funding in the appropriation act.

**HB 1953 U.S. ROUTE 58 CORRIDOR DEVELOPMENT PROGRAM; ISSUANCE OF BONDS.**

This bill changes the maximum amount of bonds that the Commonwealth Transportation Board may issue from an aggregate principal amount not exceeding \$704,300,000 to an aggregate principal amount not exceeding \$1,300,000,000, provided that the debt service on the additional bonds that may be issued pursuant to the bill shall be paid solely by the recordation tax revenue dedicated for the development of the U.S. 58 Corridor. The bill is contingent upon a comprehensive, statewide transportation funding bill being passed by the 2013 Session of the General Assembly.

**HB 1955 IMPERSONATING A LAW-ENFORCEMENT OFFICER OR OTHER PUBLIC SAFETY PERSONNEL; IMPERSONATING, PENALTY.**

This bill provides that any unauthorized person who wears a uniform identical to or substantially similar to a standard uniform used by an office of sheriff to impersonate the office of sheriff is guilty of a Class 1 misdemeanor (currently a Class 3 misdemeanor). The bill adds new punishment for a second or subsequent such offense: a Class 6 felony. The bill also adds the same new punishment for a second or subsequent offense of impersonating a law-enforcement officer or other public safety personnel, currently a Class 1 misdemeanor for any such offense.

**HB 1959 CERTIFIED PUBLIC ACCOUNTANTS; TIME FOR FILING COMPLAINTS WITH BOARD OF ACCOUNTANCY, ETC.**

This bill provides that a complaint against a CPA or CPA firm must be received by the Board of Accountancy (i) within three years of the act, omission, or occurrence giving rise to the alleged violation or (ii) where the regulant has misrepresented, concealed, or omitted any information material to the establishment of a violation, within two years of the date of discovery of the misrepresentation, concealment, or omission. Public information obtained from any source by the Executive Director or agency enforcement staff may serve as the basis for a written complaint against a CPA or CPA firm. The bill also (a) provides that the Board may initiate an investigation of a regulant within two years of the filing of criminal charges against the regulant if such charges involve matters that, if found to be true, would also constitute a violation of the regulations or laws of the regulant's profession enforced by the Board and (b) clarifies that the provision limiting the Board's ability to proceed with an investigation shall not deny the right of any party to bring a civil cause of action in a court of law.

#### **HB 1960 BOARD FOR CONTRACTORS; NECESSITY FOR LICENSE, COMMISSIONING OF PUBLIC WORKS OF ART.**

This bill allows a person to bid upon or undertake public works of art commissioned by the Commonwealth; a political subdivision of the Commonwealth, including any county, city, or town; or a nonprofit corporation exempt from taxation under § 501(c)(3) of the Internal Revenue Code without being licensed or certified as a contractor. The bill provides, however, that the installation of the artwork and related construction services offered or rendered in connection with such commission shall only be rendered by a contractor licensed or certified by the Board for Contractors.

#### **HB 1961 CHARTER; CITY OF PORTSMOUTH.**

This bill changes the deadline for the filing of a petition nominating a candidate for the office of mayor or city council member from the first Tuesday in June to the second Tuesday of June of the year of election. The amendment also moves the deadline for appointing a campaign treasurer from the first to the second Tuesday of June and makes the technical change of allowing the circulation of petitions to begin on January 1, as permitted by the Code of Virginia, rather than on the first Tuesday in January. SB 688 is identical to this bill.

**HB 1964 VOLUNTARY ECONOMIC GROWTH-SHARING AGREEMENTS; PORT OF VA. ECONOMIC AND INFRASTRUCTURE DEVELOP ZONE.**

This bill allows localities located within the Port of Virginia Economic and Infrastructure Development Zone to enter into a voluntary economic growth-sharing agreement without the review of the Virginia Commission on Local Government. This bill is identical to SB 833.

**HB 1975 CERTIFICATE OF PUBLIC NEED; CONTINUING CARE RETIREMENT COMMUNITIES, ADMISSIONS TO NURSING HOME BEDS.**

This bill adds persons who are employees or members of the board of trustees or board of directors of a continuing care retirement community, family members of employees or members of the board of trustees or board of directors of a continuing care retirement community, and accredited practitioners of the religious organization or denomination with which a continuing care retirement community is affiliated to the list of individuals who may be admitted to nursing home beds of a continuing care retirement community after expiration of the initial one-time, three-year open admission period.

**HB 1981 ELECTRONIC TRACKING DEVICES; PERSON WHO INSTALLS, ETC., WITHOUT CONSENT, CLASS 3 MISDEMEANOR.**

This bill provides that any person who installs or places an electronic tracking device through intentionally deceptive means and without consent and uses it to track the location of another person is guilty of a Class 3 misdemeanor. The bill includes exceptions.

**HB 1982 LOCAL TAX BILLS; PERMITS TREASURERS TO CONVEY ACCESS ONLINE FROM DATABASE ON TREASURER'S WEBSITE.**

This bill permits treasurers to convey, with the consent of the taxpayer,

---

---

any tax bill by permitting the taxpayer to access his tax bill online from a database on the treasurer's website.

**HB 1983 LOUDOUN COUNTY; DGS TO CONVEY BY QUITCLAIM DEED, CERTAIN REAL PROPERTY OF FORMER TOWN OF WATERFORD.**

This bill vests real property of the former Town of Waterford in the County of Loudoun. The Board of Supervisors may alter or vacate streets, alleys, and other public rights-of-way of the former town.

**HB 1985 VEHICLE WEIGHT LIMITS AND OVERWEIGHT PERMITS; TECHNICAL CHANGES.**

This bill makes several technical changes in order to clarify legislation passed by the 2012 Session dealing with vehicle weight limits and overweight permits.

**HB 1988 AUTOMATED EXTERNAL DEFIBRILLATORS; IMMUNITY FOR OWNER WHO MAINTAINS AN AED LOCATED ON REAL PROPERTY.**

This bill provides that a person who maintains an automated external defibrillator (AED) located on real property owned or controlled by such person shall not be civilly liable for any personal injury resulting from the use of the AED in an emergency, unless such personal injury results from gross negligence or willful or wanton misconduct of the person who maintains the AED or his agent or employee.

**HB 1990 LICENSE TAXES; ALLOWS LOCALITIES TO IMPOSE ON CERTAIN MOTOR VEHICLES, TEMPORARY EXEMPTION.**

This bill allows localities to impose a license tax, not to exceed \$250 annually, upon resident owners of motor vehicles that do not display license plates issued by the Commonwealth and that are not exempt from the requirements of displaying such license plates.

---

---

**HB 1993 MOTOR VEHICLE RENTAL TAX; EXCLUSIONS FROM GROSS RENTAL PROCEEDS.**

This bill provides exclusions from the gross rental proceeds upon which the motor vehicle rental tax is imposed. The exclusions include cash discounts taken on a rental contract; finance, carrying, and other service charges; charges for motor fuels; charges for optional accidental death insurance; and other specified exclusions.

**HB 1994 VIRGINIA PUBLIC PROCUREMENT ACT; CONTRACT PRICING ARRANGEMENTS.**

This bill provides that the award of a public contract may be made on the basis of cost plus a percentage of the private investment made by a private entity in cases of the procurement of commercial or financial consulting services related to a qualifying transportation facility under the Public-Private Transportation Act or a qualifying project under the Public-Private Education Facilities and Infrastructure Act, where the commercial or financial consulting services are sought to solicit or to solicit and evaluate proposals for the qualifying transportation facility or the qualifying project. The bill defines "private entity," "qualifying transportation facility," and "qualifying project."

**HB 1996 NONPROFIT ORGANIZATIONS; TAX CREDITS FOR DONATIONS TO THOSE ASSISTING LOW-INCOME FAMILIES, ETC.**

This bill makes several changes to the Neighborhood Assistance Act Tax Credit and Education Improvement Scholarships Tax Credits programs including (i) allowing tax credits for donations of marketable securities under the Education Improvement Scholarships Tax Credits program; (ii) changing reporting requirements to the Department of Education, changing the time frame for scholarship foundations to disburse moneys for scholarships, and changing the civil penalties for failing to make such reports and disbursements under the Education Improvement Scholarships Tax Credits program; (iii) for both programs, establishing \$125,000 as the maximum annual amount of donations by an individual for which tax credits may be issued; and (iv) for both programs, extending the expiration date through the 2027 taxable year. The bill also makes several other

technical changes.

**HB 1999 INDIVIDUAL SCHOOL PERFORMANCE; BOARD OF EDUCATION SHALL APPROVE STUDENT GROWTH INDICATORS, REPORT.**

This bill requires the Board of Education, by July 31, 2013, to approve student growth indicators for use in the accreditation of schools and the evaluation of teachers. The bill also defines "student growth" and requires the Board, by October 1, 2014, to report individual school performance using an A-to-F grading system that includes the standards of accreditation, state and federal accountability requirements, and student growth indicators. This bill is identical to SB 1207.

**HB 2004 TRESPASSER; POSSESSOR OF REAL PROPERTY NOT LIABLE FOR INJURY, EXCEPTION.**

This bill provides that the possessor of real property owes no duty of care to a trespasser except in those circumstances where a common law right of action, statutory right of action, or judicial exception existed as of July 1, 2013.

**HB 2005 VIRGINIA HOUSING PARTNERSHIP REVOLVING FUND; RENAMED VIRGINIA HOUSING TRUST FUND, REPORT.**

This bill renames the Virginia Housing Partnership Revolving Fund to the Virginia Housing Trust Fund and codifies language in the latest appropriation act in which \$7 million was appropriated to the Fund. The bill provides that the Department of Housing and Community Development shall (i) work in collaboration with the Virginia Housing Development Authority (HDA) to provide loan origination and servicing activities as needed to carry out the purposes of the Fund, with the costs of such services to be considered an eligible use of the Fund, and (ii) use, through HDA, at least 80 percent of the moneys from the Fund to provide flexible financing for low-interest loans through eligible organizations. Such loans shall be structured to maximize leveraging opportunities. All such funds shall be repaid to the credit of the Fund. Loans may be provided for (a) affordable

rental housing to include new construction, rehabilitation, repair, or acquisition of housing to assist low or moderate income citizens, including land and land improvements; (b) down payment and closing cost assistance for homebuyers; and (c) short-term, medium-term, and long-term loans to reduce the cost of homeownership and rental housing. The bill also allows the Department to use up to 20 percent of the moneys from the Fund to provide grants through eligible organizations for targeted efforts to reduce homelessness, including (1) temporary rental assistance, not to exceed one year; (2) housing stabilization services in permanent supportive housing for homeless individuals and homeless families; (3) mortgage foreclosure counseling targeted at localities with the highest incidence of foreclosure activity; and (4) predevelopment assistance for permanent supportive housing and other long-term housing options for the homeless. The bill contains technical amendments.

**HB 2012 DRONES; MORATORIUM ON USE OF UNMANNED AIRCRAFT SYSTEMS BY STATE OR LOCAL GOVERNMENT DEPARTMENT, ETC.**

This bill places a moratorium on the use of unmanned aircraft systems by state and local law enforcement and regulatory entities until July 1, 2015, except in defined emergency situations or in training exercises related to such situations. The moratorium does not apply to certain Virginia National Guard functions or to research and development conducted by institutions of higher education or other research organizations. The bill requires the Department of Criminal Justice Services, in consultation with the Office of the Attorney General and other agencies, to develop protocols for the use of drones by law-enforcement agencies and report its findings to the Governor and the General Assembly by November 1, 2013. The bill incorporates HB 1616 and is identical to SB 1331.

**HB 2014 INCARCERATED INDIVIDUALS; NOTIFICATION OF THOSE INELIGIBLE FOR PUBLIC ASSISTANCE.**

This bill requires the Department of Corrections to provide to the Department of Social Services, on at least a monthly basis, a list of persons committed to the custody of the Department of Corrections during the preceding month, to facilitate identification of prisoners who were receiving public assistance benefits prior to commitment and who may, as a result of their incarceration, be ineligible to receive benefits.

---

---

**HB 2018 WORKERS' COMPENSATION; COVERAGE FOR TRAINEES AT CRIMINAL JUSTICE TRAINING ACADEMIES.**

This bill clarifies that any individual who receives training at a criminal justice training academy is not an employee of the academy. The academy is not required to provide workers' compensation coverage or benefits to such an individual. The employer that arranges for an individual to be trained at a criminal justice training academy is required to provide workers' compensation coverage and benefits to the individual during the period he is receiving training at the academy.

**HB 2019 PUBLIC SCHOOLS; POLICIES AND REGULATIONS APPROVED BY LOCAL SCHOOL BOARD.**

This bill requires that a current copy of all school division policies and regulations approved by the local school board must be posted on the division's website and available to employees and to the public. Printed copies of such policies and regulations are required to be available as needed to citizens who do not have online access.

**HB 2022 VOTER REGISTRATION LIST EXCHANGE; SBE SHALL REQUEST INFORMATION TO IDENTIFY DUPLICATE REGISTRATIONS.**

This bill directs the State Board of Elections to request voter registration information and lists of persons voting at primaries and elections, if available, from the states that border the Commonwealth in order to identify duplicate registrations, voters who no longer reside in the Commonwealth, and other persons no longer entitled to be registered to vote. The State Board shall report annually to the Committees on Privileges and Elections on its progress, including the number of duplicate registrations discovered and the steps taken by the Board to eliminate duplicate registrations.

**HB 2023 TRAVEL INSURANCE; PROVIDES FOR SALE BY LICENSED PROPERTY AND CASUALTY INSURANCE AGENTS, ETC.**

This bill provides authorization for a business entity that is licensed as a travel agent, or acting under direction of a licensed travel agent, to offer travel insurance under a limited lines travel insurance agent license, upon complying with requirements that include maintaining a register, designating a responsible licensed producer, and providing training to certain employees and authorized representatives. Travel retailers are required to make available written materials that provide the information about the insurer and the limited lines travel insurance agent, explain that the purchase of travel insurance is not required in order to purchase any other product or service, and explain that an unlicensed travel retailer is not authorized to answer technical questions about the terms and conditions of the insurance offered. A travel retailer employee or authorized representative may not be compensated based primarily on the number of customers who purchase travel insurance coverage.

**HB 2026 VIRGINIA FOIA; REMOTE PARTICIPATION IN MEETING BY MEMBER OF PUBLIC BODY.**

This bill allows a member of a public body to participate in a meeting by electronic communication means due to personal matters under certain circumstances. Currently, such remote participation is allowed only for emergency, medical condition, or distance from the meeting location of more than 60 miles. The bill is a recommendation of the Virginia Freedom of Information Advisory Council.

**HB 2027 TUITION, IN-STATE; ACTIVE DUTY MEMBER, ETC. MOBILIZED OR ON TEMPORARY ACTIVE ORDERS.**

This bill allows any active duty member, activated guard or reservist member, or guard or reservist member mobilized or on temporary active orders for six months or more to pay no more than the in-state tuition rate to attend a public institution of higher education if he resides in Virginia. Currently, such an individual is required to be stationed or assigned to work in Virginia and reside in Virginia to receive the rate of no more than in-state tuition.

**HB 2028 PUBLIC SCHOOLS; CARDIOPULMONARY RESUSCITATION AND AUTOMATED EXTERNAL DEFIBRILLATORS.**

---

---

This bill allows school boards to require current certification or training in emergency first aid, cardiopulmonary resuscitation (CPR), and the use of automated external defibrillators (AEDs) for bus drivers; increases the number of staff required to have such training; and requires such training for those seeking initial teacher licensure, renewal of a license to teach, or a provisional teaching license, with a waiver for teachers with disabilities. For students, beginning with first-time ninth grade students in the 2016-2017 school year, the bill adds a requirement that recipients of the standard and advanced diplomas must receive training in emergency first aid, CPR, and the use of AEDs. The bill allows each local school board to develop a plan for the placement, care, use, and funding of an automated external defibrillator in each school.

**HB 2029 SPEED LIMITS; TOWN LOCATED ENTIRELY WITHIN CONFINES OF MILITARY BASE MAY REDUCE TO LESS THAN 25 MPH**

This bill allows the Town of Quantico to reduce speed limits on any highways within its boundaries to less than 25 mph.

**HB 2031 AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY; PROVISIONAL LICENSE.**

This bill provides that the Board of Audiology and Speech-Language Pathology may issue a provisional license to an applicant for licensure in speech-language pathology who has met the education and examination requirements for licensure, to allow the applicant to obtain clinical experience under the supervision of a licensed speech-language pathologist as specified in the Board's regulations. The bill eliminates language providing that the Director of the Department of Health Professions shall serve as the secretary-treasurer of the Board.

**HB 2033 PROVISIONAL DRIVER'S LICENSE; RESTRICTION EXCEPTIONS.**

This bill provides that the restriction on operating a motor vehicle between midnight and 4:00 a.m. for a minor who holds a provisional driver's license does not apply if the minor is driving to or from an activity that is supervised by an adult and is sponsored by a school or by a civic,

religious, or public organization. Currently this exception only applies to a minor driving to or from a school-sponsored activity.

**HB 2035 OLD FLAT STATE FOREST; AUTHORIZES DOF TO CONVEY AND ACCEPT LANDS IN GRAYSON COUNTY.**

This bill authorizes the Department of Forestry to convey and accept an exchange of lands with Rodney Richardson on an approximately acre-for-acre or equal-market-value basis. In return for conveying a parcel located in Old Flat State Forest to Richardson, the Department is authorized to accept from Richardson a parcel adjacent to the State Forest.

**HB 2038 FORT MONROE AUTHORITY; PAYMENTS IN LIEU OF REAL PROPERTY TAXES.**

This bill modifies the method of determining the amount of fees in lieu of real property taxes owed by the Fort Monroe Authority by ensuring that properties at Fort Monroe that would be taxed by the City of Hampton if privately held will be charged a fee in lieu of taxes, but that properties at Fort Monroe that would not be taxed by the City if privately held will be exempt from the fee. The bill also permits the Fort Monroe Authority to appeal the assessed value of its property used in calculating the fee.

**HB 2039 CHESAPEAKE BAY WATERSHED IMPLEMENTATION PLAN; ADDED TO LIST TO RECEIVE CONTRIBUTIONS OF REFUNDS.**

This bill adds the Chesapeake Bay Watershed Implementation Plan submitted by the Commonwealth of Virginia, as an option under the Voluntary Chesapeake Bay Restoration Contribution, to the list of organizations that may receive contributions of taxpayer refunds. The bill is identical to SB 1054.

**HB 2040 NOISE ABATEMENT PRACTICES AND TECHNOLOGIES; VDOT'S EVALUATION EXTENDED FOR TWO ADDITIONAL YEARS.**

This bill extends for two additional years (until June 30, 2015) VDOT's evaluation of noise abatement practices and technologies demonstration

---

---

projects.

**HB 2041 ACCESS ROADS AND BIKEWAYS; AUTHORIZES BOARD TO ESTABLISH GUIDELINES FOR USE OF REC. ACCESS FUNDS.**

This bill authorizes the Commonwealth Transportation Board to establish guidelines, instead of regulations, in connection with use of recreational access funds.

**HB 2042 DMV; CUSTOMER SERVICE.**

This bill modifies requirements for (i) release by DMV of vehicle title information, (ii) automated electronic payments to the DMV, (iii) temporary motorcycle operator licenses, and (iv) deactivation, extension, and reactivation of vehicle registration. This bill also allows DMV to issue veteran ID cards.

**HB 2043 VIRGINIA FOIA; ALLOWS BOARD OF TRUSTEES OF JAMESTOWN-YORKTOWN FOUNDATION TO CONVENE CLOSED MEETING.**

This bill allows the board of trustees of the Jamestown-Yorktown Foundation to convene a closed meeting when the topic is the discussion or consideration of matters relating to specific gifts, bequests, and grants.

**HB 2044 HIGHWAY CONSTRUCTION ADVISORY COMMITTEE, RECYCLED MATERIALS IN; ELIMINATES COMMITTEE.**

This bill eliminates the Recycled Materials in Highway Construction Advisory Committee.

**HB 2045 FOSTER CARE AND ADOPTION; DECISIONS REGARDING FEDERAL BENEFITS, RIGHT TO APPEAL TO COMMISSIONER.**

This bill establishes a right to review by the Commissioner of Social Services of any decision of a local board of social services granting, denying, or changing a benefit available to a child in foster care for any individual whose claim for benefits related to foster care services available pursuant to state or federal law is denied or is not acted upon by the local department with reasonable promptness.

**HB 2047 LONG-TERM HEALTH CARE INSURANCE; TAX CREDIT NOT ALLOWED IF PERSON CLAIMED FED. INCOME TAX DEDUCTION.**

This bill repeals the long-term health care insurance tax credit for taxable years beginning on or after January 1, 2014. The bill would not repeal the income tax deduction for long-term health care insurance premiums paid by an individual.

**HB 2048 WATER QUALITY; TRANSFER OF RESPONSIBILITY FOR ADMINISTRATION OF PROGRAMS.**

This bill moves several water quality programs currently administered by the Department of Conservation and Recreation to the Department of Environmental Quality. The Department of Environmental Quality and the State Water Control Board will have oversight of water quality planning and laws dealing with stormwater management, erosion and sediment control, and the Chesapeake Bay Preservation Areas. The Virginia Soil and Water Conservation Board will have continuing responsibility for oversight of the soil and water conservation districts and of resource management planning. The Virginia Soil and Water Conservation Board will continue to be responsible for administration of the flood prevention and dam safety laws. The Board will continue to be staffed by the Department of Conservation and Recreation. This bill is identical to SB 1279.

**HB 2052 HOT LANES; ALLOWS STATE OR LOCAL LAW-ENFORCEMENT VEHICLES, ETC., TO ENTER.**

This bill allows state and local law-enforcement vehicles, firefighting trucks, ambulances, and rescue squad vehicles to enter HOT lanes by crossing a barrier or buffer and not be guilty of reckless driving. This bill

contains an emergency clause and is identical to SB 1204.

**HB 2054 RS&UT; EXEMPTION INCLUDES PROPERTY USED FOR HARVESTING FOREST PRODUCTS.**

This bill changes the sales and use tax exemption related to harvesting forest products from property "necessary" for such harvesting, to property "used" for such harvesting.

**HB 2055 NOTARIES; QUALIFICATIONS INCLUDE BEING A LEGAL RESIDENT OF U.S., TECHNICAL AMENDMENTS.**

This bill replaces the requirement that to be qualified to be a commissioned notary, a person must be a "citizen" of the United States with the requirement that he must be a "legal resident" of the United States. This bill contains technical amendments.

**HB 2057 HIGHER EDUCATIONAL INSTITUTIONS; MEMORANDA OF UNDERSTANDING, ETC.**

This bill clarifies the procedure for adopting new measures to be followed by institutions of higher education that seek to enter into memoranda of understanding for additional operational authority.

**HB 2058 CONSERVATORS OF THE PEACE, SPECIAL; STATE-OWNED MUSEUMS TO APPLY FOR APPOINTMENT BY CIRCUIT COURT.**

This bill authorizes any museum owned and managed by the Commonwealth to apply for the appointment by the circuit court of a special conservator of the peace. This bill is identical to SB 1034.

**HB 2059 LANDLORDS; REDUCES AMOUNT OF INCOME TAX CREDITS THAT MAY BE ISSUED EACH FISCAL YEAR BY DHCD.**

This bill reduces from \$450,000 to \$250,000 the amount of income tax

credits that may be issued each fiscal year by the Department of Housing and Community Development to landlords participating in housing choice voucher programs. This bill is identical to SB 972.

**HB 2061 HUMAN TRAFFICKING HOTLINE; POSTED NOTICES, ETC.**

This bill provides that any employer who operates a truck stop and who fails to post a notice, in the same location where other employee notices required by state or federal law are posted, of the existence of a human trafficking hotline is subject to a civil penalty of \$100. A civil penalty shall not be assessed until after 72 hours' notice of such failure. No such civil penalties shall be assessed prior to January 1, 2014. The measure also clarifies that civil penalties are to be assessed by the Department of Labor and Industry.

**HB 2062 EXECUTIVE MANSION, CITIZENS' ADVISORY COUNCIL ON FURNISHING AND INTERPRETING; MEMBERSHIP.**

This bill re-staggers the terms of the membership of the Citizens' Advisory Council on Furnishing and Interpreting the Executive Mansion.

**HB 2065 JUVENILE CORRECTIONAL CENTERS; OFFENSES COMMITTED BY PERSONS COMMITTED TO DJJ, ETC.**

This bill for selected offenses, imposes the same penalties for offenses committed by persons confined in a juvenile correctional center as currently exist for adult prisoners. Persons who deliver certain items to committed juveniles or allow their escape will face penalties comparable to the same conduct involving adult prisoners. The bill makes it a Class 6 felony, with a six-month mandatory minimum term of confinement, to assault persons directly involved in the care, treatment, or supervision of persons in the custody of the Department of Corrections engaged in the performance of public duties; under current law this provision applies to employees of the Department of Corrections.

**HB 2066 STANDARDS OF QUALITY; ASSIGNMENT OF CERTAIN STAFF BY LOCAL SCHOOL DIVISIONS.**

---

This bill permits local school divisions that employ a sufficient number of librarians, guidance counselors, and school-based clerical personnel to meet the staffing requirements that are prescribed in Standard 2 of the Standards of Quality to assign librarians, guidance counselors, and school-based clerical personnel to schools within the division according to the area of greatest need, regardless of whether such schools are elementary, middle, or secondary. This bill is identical to SB 1172.

**HB 2068 PUBLIC SCHOOLS; READING INTERVENTION SERVICES FOR STUDENTS IN KINDERGARTEN THROUGH GRADE 3, ETC.**

This bill adds kindergarten and grades one and two to the requirement that local school divisions provide early intervention services to students in grade three who demonstrate deficiencies based on their individual performance on diagnostic reading tests. The bill requires local school divisions to provide algebra readiness intervention services to students in grades six through nine who are at risk of failing the Algebra I end-of-course test as demonstrated by their individual performance on diagnostic tests. This bill is identical to SB 1171.

**HB 2069 SEEDLINGS; STATE FORESTER TO FURNISH THOSE GROWN IN NURSERIES TO STATE WITHOUT EXPENSE, ETC.**

This bill authorizes the State Forester to (i) provide seedlings at no expense for use on state forests, public grounds, and state parks and (ii) sell seedlings to private individuals. The terms and conditions of the sale and the price of the seedlings will be set by the State Forester.

**HB 2072 CONDEMNATION; LOCAL APPLICATION PROCESS.**

This bill provides that no locality shall condition or delay the timely consideration of any application for or grant of any permit or other approval for any real property over which it enjoys jurisdiction for the purpose, expressed or implied, of allowing the locality to condemn or otherwise acquire the property or to commence any process to consider whether to undertake condemnation or acquisition of the property.

**HB 2076 CHARTER SCHOOLS, PUBLIC; APPLICATIONS.**

This bill provides that charter school applications that are initiated by one or more local school boards are not subject to review by the Board of Education. This bill is identical to SB 1311.

**HB 2077 MOTOR CARRIER AND COMMERCIAL DRIVERS; AMENDS SEVERAL LICENSING LAWS, ETC.**

This bill amends several motor carrier and commercial driver's licensing laws. The bill clarifies and strengthens fitness and operating authority requirements for intrastate motor carriers. It also enables Virginia to comply with new Federal Motor Carrier Safety Administration regulation amendments regarding commercial motor vehicles and a prohibition on texting in commercial motor vehicles, and it codifies federal commercial driver's license requirements. This bill is identical to SB 1219.

**HB 2079 VA PUBLIC PROCUREMENT ACT; PROCESS FOR COMPETITIVE SEALED BIDDING AND NEGOTIATION.**

This bill reorganizes the definitions of and processes for competitive sealed bidding and competitive negotiation. The bill also adds a definition of job order contracting and specifies procedures to be used by public bodies when utilizing job order contracting. Under the bill, the above provisions do not become effective until July 1, 2014. The bill also requires the chairs of the House Committee on General Laws and the Senate Committee on General Laws and Technology to convene a work group in 2013 to examine the provisions of the Virginia Public Procurement Act. The bill contains technical amendments.

**HB 2080 EVIDENCE ACCEPTABLE TO DMV COMMISSIONER OF PAYMENTS OF TAXES, ETC.**

This bill provides that the DMV Commissioner may determine what sort of evidence he will accept as to proof of payment of taxes on vehicles and of the registration or exemption from registration of certain vehicles without doing so by regulation. The bill also makes several technical changes.

**HB 2082 INFORMATION TECHNOLOGY ADVISORY COUNCIL; COUNCIL TO ELECT CHAIRMAN AND VICE-CHAIR FROM MEMBERSHIP.**

This bill provides for the Information Technology Advisory Council to elect a chairman and vice-chairman from its membership. Under the bill, neither the Secretary of Technology nor the Chief Information Officer may serve as chairman, and the CIO is no longer required to serve as vice-chairman. Under current law, the Secretary of Technology serves as chairman and the CIO serves as vice-chairman of the Council. The bill also removes the requirement for the Council to meet at least quarterly and allows both the Secretary of Technology and the CIO to call a meeting. This bill is identical to SB 1183.

**HB 2083 STRATEGIC COMPENSATION GRANT INITIATIVE AND FUND; ESTABLISHED.**

This bill establishes the Strategic Compensation Grant Initiative and Fund, which provide that local school divisions may submit proposals to the Board of Education to receive grants that may be used as incentives to improve teacher and school performance. School divisions must include in their proposals a compensation model and designate groups or types of teachers to receive awarded funds. The bill sets forth eligibility requirements for teachers receiving funds. This bill is identical to SB 1185.

**HB 2084 TEACH FOR AMERICA; CREATES TWO-YEAR PROVISIONAL LICENSE FOR PARTICIPANTS.**

This bill creates a two-year provisional license for participants in Teach For America, a nationwide nonprofit organization focused on closing the achievement gaps among students in low-income areas, who meet certain criteria, including having an offer of employment from a school division in the Commonwealth. The Board of Education may extend each Teach For America license for one additional year and may issue each licensee a renewable license upon completion of two full years of teaching experience, satisfaction of all other requirements for such a license, achievement of satisfactory scores on all professional teachers assessments required by the Board, and achievement of satisfactory end-of-year

evaluations. The bill also provides for reciprocity to Teach For America teachers in other states upon satisfaction of certain conditions. This bill is identical to SB 1175.

**HB 2085 CONSUMER COUNSEL OF DEPT. OF LAW, DIVISION OF;  
REPLACES REFERENECE TO OFFICE OF CONSUMER AFFAIRS.**

This bill replaces references to the "Office of Consumer Affairs" with references to the "Department of Agriculture and Consumer Services" or the "Division of Consumer Counsel of the Department of Law." The changes reflect the transfer made in the 2012 Session of certain duties from the Office of Consumer Affairs in the Department of Agriculture and Consumer Services to the Division of Consumer Counsel in the Office of the Attorney General. The bill contains technical amendments.

**HB 2086 AGRICULTURE AND CONSUMER SERVICES,  
BOARD OF; REGULATORY POWERS.**

This bill removes the Board of Agriculture and Consumer Services' authority to adopt regulations establishing schedules for calibration of service agencies' weights and measures standards and authorizes the Commissioner of Agriculture and Consumer Services to set the schedules.

**HB 2088 POSTSECONDARY SCHOOLS; STUDENT RECORDS  
AND CLOSURES.**

This bill provides that in the event of a postsecondary school closure, the school shall transfer the academic and financial records of its students to the State Council of Higher Education for Virginia or enter an agreement with another school to preserve such records. The bill also requires that a closing school develop and submit to the Council a "teachout plan," which is a written agreement between or among postsecondary schools that provides for the equitable treatment of students if one of those institutions stops offering an educational program before all students enrolled in that program complete the program. The bill finally requires the Council to deny owners certification to operate another postsecondary school in the Commonwealth if the owner does not provide an adequate teachout plan or adequate preservation of records.

---

---

**HB 2089 PERMITS AND OTHER INFORMATION; DEQ TO TRANSMIT ELECTRONICALLY AIR POLLUTION CONTROL, ETC.**

This bill allows the Department of Environmental Quality to transmit electronically air pollution control, water quality, and waste management permits or certificates, as well as other information such as plan approvals.

**HB 2091 MAGISTRATES; SUPERVISION BY EXECUTIVE SECRETARY OF THE SUPREME COURT OF VIRGINIA.**

This bill requires the Executive Secretary of the Supreme Court to establish and require magistrates be available for performing certain duties related to issuing temporary detention orders. Under current law, the chief judge of each district court is responsible for this oversight. The change makes this responsibility consistent with the current supervisory structure set out in § 19.2-35, which grants supervisory authority over the magistrates to the Executive Secretary. This bill is a recommendation of the Committee on District Courts. This bill is identical to SB 753.

**HB 2092 TAX INFORMATION; DISCLOSURE.**

This bill authorizes the Tax Commissioner to provide the Commissioner of Agriculture and Consumer Services with the name and address of taxpayers who identify themselves as subject to Board of Agriculture and Consumer Services regulations.

**HB 2095 INTERGOVERNMENTAL AFFAIRS, OFFICE OF; REMOVES REFERENCES TO OFFICE.**

This bill removes references to the Office of Intergovernmental Affairs and provides for the Assistant to the Governor for Intergovernmental Affairs to be responsible for all of the duties of the Office under current law. The bill also (i) removes the requirement for the appointment of the Assistant to the Governor for Intergovernmental Affairs to be confirmed by the General Assembly and clarifies that the position serves at the pleasure of the Governor and (ii) removes the responsibility of the Office of Intergovernmental Affairs to serve as the base office for state officials

traveling to Washington, D.C. The bill is identical to SB 1203.

**HB 2098 SCHOOL BOARDS; RELEASES FROM STATE REGULATION.**

This bill requires any school board that has requested a release from certain state regulations to provide a description of how the release from the state regulation is designed to increase the quality of instruction and improve the achievement of students in the affected school or schools. The bill permits the Board of Education to grant and renew such releases for a period of up to five years. The bill also permits the Board of Education to grant local school boards waivers of specific staffing requirements that would permit the school board to assign instructional personnel to the schools with the greatest needs, provided that the local school board provides a description of how the waiver is designed to increase the quality of instruction and improve the achievement of students in the affected school or schools.

**HB 2099 FUR-BEARING ANIMALS; LANDOWNER MAY TRAP, ETC., UPON HIS LAND DURING CLOSED SEASON IF DAMAGING.**

This bill allows a landowner to trap or shoot fur-bearing animals including muskrats and raccoons upon his own land during the closed season when these animals are causing damage to his crops or property, or are posing a threat to human health or safety, or are causing a nuisance.

**HB 2100 COAL SEVERANCE TAXES, LOCAL; ESTABLISHES GROSS INCOME FOR CERTAIN PURPOSES. EMERGENCY.**

This bill establishes gross receipts for purposes of the local coal severance tax by providing that the only deduction allowed from gross receipts is for non-local transportation and processing costs of coal. The bill establishes a one percent tax on the gross receipts from coal severed from the earth by coal producers, except that the gross receipts tax on coal from mines that sell less than 10,000 tons of coal per month is three-quarters of one percent. The bill also moves the local coal severance taxes out of Chapter 37 of Title 58.1, which sets forth local license tax laws. The bill is identical to SB 918.

---

---

**HB 2101 HIGH SCHOOL TO WORK PARTNERSHIPS; BOARD OF EDUCATION SHALL DEVELOP GUIDELINES FOR ESTABLISHMENT.**

This bill directs the Board of Education to develop guidelines for the establishment of High School to Work Partnerships between public high schools and local businesses to create apprenticeships, internships, and job shadow programs in a variety of trades and skilled labor positions. The bill also provides that local school boards may encourage the local school division's career and technical education administrator to work with the guidance counselor office of each public high school to establish such partnerships. This bill is identical to SB 1248.

**HB 2102 UNIFORM COMMERCIAL CODE; SECURED TRANSACTIONS, FILING OF DOCUMENTS, ETC.**

This bill provides that a filing under Article 8.9A of the Uniform Commercial Code does not occur with respect to an initial financing statement or amendment thereto that the State Corporation Commission refuses to file on grounds that such a record is not created pursuant to Article 8.9A, is materially false or fraudulent, is presented for an improper purpose, or indicates that the debtor and secured party are substantially the same person or that the record was transmitted by an individual debtor. If a record should have been rejected for any of these reasons, the record shall be deemed void and ineffective and the filing office may remove it from the index. Other changes conform terminology regarding persons falsely identified in a financing statement filed with the office of the clerk of the Commission.

**HB 2103 PAROLE BOARD; PAROLE REVIEW AND DENIAL.**

This bill requires the Parole Board to ensure that each person eligible for parole receives a timely and thorough review of his suitability for release on parole, including a review of any relevant post-sentencing information. If the Board denies the inmate parole, the Board is required to provide specific reasons for such denial in writing.

**HB 2104 BANKS; DERIVATIVE TRANSACTIONS.**

This bill provides for the treatment of derivative transactions with regard to the requirement that the total obligations of any person to any bank shall at no time exceed 15 percent of the sum of the capital, surplus, and loan loss reserve of a bank. An "obligation" is defined in this measure as including any credit exposure to a person arising from a derivative transaction between the bank and the person. "Derivative transaction" is defined as including any transaction that is a contract, agreement, swap, warrant, note, or option that is based, in whole or in part, on the value of, any interest in, or any quantitative measure or the occurrence of any event relating to, one or more commodities, securities, currencies, interest or other rates, indices, or other assets. The Commission is authorized to adopt regulations to further define the term "derivative transaction" and to set forth the rules for calculating credit exposures arising from derivative transactions. This bill is identical to SB 1034.

**HB 2105 JUNKYARDS; POLICY AND DEFINITIONS.**

This bill makes technical amendments to conform Virginia's statutes with corresponding changes in federal nomenclature.

**HB 2106 TRAFFIC REGULATION; CONFORMS TITLE 46.2 TO CHANGES TO MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.**

This bill conforms Title 46.2 (Motor Vehicles) of the Code of Virginia to recent changes to the Manual on Uniform Traffic Control Devices. This bill is identical to SB 1200.

**HB 2107 ABSENTEE BALLOT PROCEDURES AND COUNT; REQUIRES PROMPT COUNTING IMMEDIATELY AFTER CLOSE OF POLLS.**

This bill requires the prompt counting of absentee ballots immediately after the close of the polls and advance steps by the general registrar to prepare for the prompt counting of absentee ballots.

---

---

**HB 2110 COAL AND GAS ROAD IMPROVEMENT FUND; TAX REVENUE USED TO CONSTRUCT, ETC., NATURAL GAS SERVICE LINES.**

This bill allows a locality in the Virginia Coalfield Economic Development Authority to apply a portion of its Coal and Gas Road Improvement Fund tax revenue collected from the severance tax imposed upon the severance of natural gas to the construction of natural gas service lines. Under current law, the locality is permitted to apply a portion of the revenue to the construction or enhancement of water or sewer systems or lines. The amendments add natural gas systems or lines as authorized by § 15.2-2109.3 to the permitted uses of that portion of the fund.

**HB 2111 COAL; REPEALS AN OBSOLETE CHAPTER THAT REGULATES SURFACE MINING.**

This bill repeals an obsolete chapter in Title 45.1 that regulates the surface mining of coal. The provisions of this chapter have been superseded by the Virginia Coal Surface Mining Control and Reclamation Act (§ 45.1-226 et seq.). This bill is identical to SB 1014.

**HB 2113 VIRGINIA BUSINESS TRUST ACT; MODIFIES PROVISIONS.**

This bill modifies provisions of the Virginia Business Trust Act in order to (i) bring to a single location the standard for a foreign business trust's signing of a document that is to be filed in the Clerk's Office of the State Corporation Commission, (ii) authorize a business trust to petition the State Corporation Commission for an order to eliminate the effects of clerical errors, (iii) require the inclusion of a business trust's identification number in certain documents to be filed in the Clerk's Office, (iv) bring annual registration fee assessment provisions into alignment with those applicable to other business entities, and (v) provide that business trust names are subject to provisions regarding noncompliance. The measure also includes technical amendments.

---

---

**HB 2114 STATE INSPECTOR GENERAL; ADDITIONAL POWERS AND DUTIES, REPORT.**

This bill grants additional powers to the State Inspector General relating to audit functions of state and nonstate agencies and provides that the State Inspector General and no more than 30 members of the investigative unit shall be law-enforcement officers. The bill requires the State Inspector General to enter into a memorandum of understanding with the Department of State Police relative to their respective roles and responsibilities. The bill reorganizes the State Inspector General's powers and duties and generally reorganizes the law relating to the Office of the State Inspector General. The bill contains technical amendments. The bill is identical to SB 1176.

**HB 2115 TELEPHONE CARRIERS; INTRASTATE SWITCHED ACCESS CHARGES.**

This bill eliminates a provision that prohibits incumbent local exchange carriers from adding additional elements, or from increasing the charge for existing elements, of intrastate switched access charges.

**HB 2116 COMMONWEALTH TRANSPORTATION BOARD, COMMISSIONER OF HIGHWAYS, ETC.; POWERS AND DUTIES, REPORT.**

This bill amends the powers and duties of the Commissioner of Highways and the Commonwealth Transportation Board to create new efficiencies and streamline procedures by granting the Commissioner greater authority over administrative operations, matters involving the practice of civil engineering, and interaction with stakeholders. This bill is identical to SB 1209.

**HB 2117 FOSTER CARE; TIME TO CONDUCT HEARINGS, ETC.**

This bill adjusts certain time frames for conducting or petitioning for hearings of a child in foster care and filing foster care plans in order to bring Virginia into compliance with Title IV, Part E (Federal Payments for Foster Care and Adoption Assistance) of the federal Social Security Act.

---

---

The bill has a delayed effective date of July 1, 2014.

#### HB 2118 INSURANCE POLICIES; REQUIRED NOTICE.

This bill clarifies that insurers are required to provide a notice that a policyholder may contact the Bureau of Insurance if he is unable to contact or obtain satisfaction from the insurer or agent. The measure corrects an editing error made in the 2012 Session that inadvertently limited this requirement to health maintenance organizations.

#### HB 2120 PHYSICIAN, LICENSED, ETC.; MAY PERFORM PROCEDURE FOR PHYSICAL EVIDENCE RECOVERY KIT EXAMINATION.

This bill authorizes a licensed physician, physician assistant, nurse practitioner, or registered nurse to perform a physical evidence recovery kit examination for a person who is believed to be the victim of a sexual assault and who is incapable of making an informed decision regarding consent to such examination when there is a need to conduct the examination, no legally authorized representative is available to provide consent, and a capacity reviewer provides written certification that the person is incapable of providing informed consent and that the examination should be performed. This bill is identical to SB 1006.

#### HB 2121 LAW-ENFORCEMENT OFFICERS; GROUNDS FOR DECERTIFICATION, DCJS AUTHORIZED TO WAIVE REQUIREMENTS.

This bill provides that no person who becomes a law-enforcement officer on or after July 1, 2013, may have been convicted of or pled guilty or no contest to any misdemeanor involving moral turpitude, including petit larceny, any misdemeanor sex offense, or any domestic assault. Additionally, any certified law-enforcement officer who has been convicted of or pled guilty or no contest to any such crime shall be decertified by the Criminal Justice Services Board.

The bill additionally requires a sheriff, chief of police, or agency administrator to notify the Criminal Justice Services Board in writing when any certified law-enforcement officer or jail officer who is currently employed is convicted of or pleads guilty or no contest to certain crimes. Notice is also required when a law-enforcement officer or jail officer resigns or is terminated in advance of a pending drug screening or conviction of an offense that requires decertification. Upon receiving notice, the Criminal Justice Services Board shall decertify such officer.

Finally, the bill allows for the Department of Criminal Justice Services to waive decertification requirements for good cause. This bill is identical to SB 1026.

**HB 2122 INCAPACITATED PERSONS; PHOTOGRAPHS, X-RAYS, ETC., MAY BE TAKEN AS PART OF MEDICAL EVALUATION, ETC.**

This bill provides that in any case of suspected abuse of an incapacitated adult, photographs, X-rays, and other medical imaging of such incapacitated adult may be taken without the consent of the person responsible for the incapacitated adult as a part of the medical evaluation of the person. Such photographs, X-rays, and other medical imaging may be introduced into evidence in any civil or criminal proceeding. This bill is identical to SB 997.

**HB 2123 JUVENILE JUSTICE, BOARD OF; INCREASES MEMBERSHIP.**

This bill increases the membership of the Board of Juvenile Justice to include two experienced educators. The bill is identical to SB 1187.

**HB 2127 VIRGINIA COLLEGE SAVINGS PLAN, BOARD OF; ELECTED POSITIONS, TECHNICAL AMENDMENTS.**

This bill eliminates the position of secretary from the Board of the Virginia College Savings Plan. The bill also changes the time frame for the election of Board positions from each calendar year to annually. The bill contains technical amendments. This bill is identical to SB 1221.

---

---

**HB 2128 VIRGINIA PUBLIC PROCUREMENT ACT; SMALL PROCUREMENTS.**

This bill provides that local public bodies are not required to post on the Department of General Services' central electronic procurement website for small purchase procurements.

**HB 2130 NURSING HOMES; IMPLEMENTATION OF VOLUNTARY ELECTRONIC MONITORING IN RESIDENTS' ROOMS.**

This bill directs the Board of Health to promulgate regulations governing the implementation of voluntary electronic monitoring in the rooms of residents of nursing homes, which shall include existing policies and procedures set forth in the Board's guidelines governing electronic monitoring of nursing home residents' rooms. This bill is identical to SB 974.

**HB 2136 METHASTERONE AND PROSTANOZOL; ADDED TO LIST OF SCHEDULE III CONTROLLED SUBSTANCES.**

This bill adds methasterone and prostanazol to Schedule III.

**HB 2137 LOCAL GOVERNMENTS; ENVIRONMENTAL IMPACT REPORTS, PROHIBITS PURCHASE OF CERTAIN DEICING AGENTS, ETC.**

This bill raises from \$500,000 to \$2 million the cost threshold at which a locality will be required to obtain an environmental impact report for a highway project. For certain projects costing more than \$500,000 and less than \$2 million, the locality is required to consult with the Department of Historic Resources to make efforts to minimize impacts to historic resources. The bill also exempts the sale of deicing agents containing urea from the current prohibition on such sales where the deicing agent is to be used by a municipal corporation at an airport.

**HB 2138 HEALTH INSURANCE REFORM COMMISSION; ESTABLISHED, SUNSET PROVISION, REPORT.**

This bill establishes the Health Insurance Reform Commission as a legislative commission. The duties of the Commission include monitoring the implementation of the Patient Protection and Affordable Care Act; determining whether Virginia should establish a state-run health benefit exchange; recommending what health benefits should be required to be included within the scope of the essential health benefits provided under health insurance products offered in the Commonwealth; providing assessments of existing and proposed mandated health insurance benefits and providers; and developing recommendations to increase access to health insurance coverage, ensure that the costs of health insurance coverage are reasonable, and encourage a robust market for health insurance products. Committees of the General Assembly are directed to request the Commission to assess the impact and efficacy of legislation proposing a mandated health insurance benefit or provider. The Commission will expire on July 1, 2017. The measure also repeals the Special Advisory Commission on Mandated Health Insurance Benefits.

#### **HB 2139 STATE OFFICERS AND EMPLOYEES; REMOVAL OF CERTAIN OFFICERS FROM OFFICE.**

This bill repeals an archaic provision that provides that the Secretary of the Commonwealth, State Treasurer, Comptroller, Superintendent of Public Instruction, or Commissioner of Agriculture and Consumer Services may be removed from office by joint vote of the two houses of the General Assembly or, during the recess thereof, may be suspended by the Governor. The repealed statute also provides that this power shall not be exercised by the Governor except for misbehavior, incapacity, neglect of official duty, or acts performed without due authority of law and that in any case in which this power is so exercised by the Governor, he shall fill the office by a temporary appointment and report to the General Assembly, at the beginning of the next session thereof, the fact of such suspension and the cause therefor, whereupon the General Assembly shall determine whether such officer shall be restored or finally removed. This bill is identical to SB 1104.

#### **HB 2143 VOTING; HANDLING OF PROVISIONAL BALLOT ENVELOPE INFORMATION.**

This bill specifies that provisional ballot envelopes are to be placed in

---

---

the ballot container promptly.

**HB 2144 STANDARDS OF QUALITY; WAIVERS FROM THIRD GRADE STANDARDS OF LEARNING ASSESSMENTS IN CERTAIN SCHOOLS.**

This bill allows a public elementary school that had an adjusted pass rate of less than 75 percent on the third grade Standards of Learning reading assessment administered during the previous school year to apply to the Board of Education for a two-year waiver from the science or history and social science Standards of Learning assessment requirement, or both, for third grade students. Elementary schools that apply for a two-year waiver must satisfy certain conditions to be granted the waiver. The bill will expire on July 1, 2015.

**HB 2145 VIRGINIA COLLEGE SAVINGS PLAN; DEPOSIT OF INCOME TAX REFUNDS.**

This bill permits taxpayers to direct the Department of Taxation to deposit all or any part of an income tax refund into their Virginia College Savings Plan accounts. The provisions of the bill shall be effective for taxable years beginning on or after January 1, 2014. This bill is identical to SB 2200.

**HB 2146 VIRGINIA WAR MEMORIAL; POWERS AND DUTIES OF DIVISION OF DEPARTMENT OF VETERANS SERVICES.**

This bill provides for the powers and duties of the Virginia War Memorial division of the Department of Veterans Services. The bill removes certain powers and duties from the Virginia War Memorial Board and places those duties under the Virginia War Memorial division.

**HB 2147 PRIMARIES; FILINGS OF PRIMARY CANDIDATE PETITIONS WITH PARTY CHAIRMAN, ETC.**

This bill provides that in furnishing to the State Board of Elections or local electoral boards the names of candidates for nomination in a primary,

including a presidential primary, the party chairman shall certify that a review of the candidate petitions found the required minimum number of signatures of qualified voters for the particular office to have been met. The bill also provides that the State Board shall transmit declarations of candidacy, petitions, and receipts for the payment of filing fees filed with the State Board to the state chairman of the party of the candidate filing such materials within 72 hours of the filing and not later than the seventy-fourth day before a primary. Currently, the State Board must transmit such materials on the seventy-fourth day before a primary.

#### HB 2148 CORRECTIONS, DEPARTMENT OF; EXCHANGE OF MEDICAL AND MENTAL HEALTH RECORDS, ETC.

This bill authorizes the Department of Corrections to exchange medical and mental health information and records of any person committed to the Department with the Department for Aging and Rehabilitative Services, the Department of Social Services, and any local department of social services in the Commonwealth for the purposes of reentry planning and post-incarceration placement and services. This bill is identical to SB 1217.

#### HB 2150 TAX CODE, STATE; ADVANCES CONFORMITY WITH INTERNAL REVENUE CODE.

This bill advances the conformity with the federal tax code from December 31, 2011, to January 2, 2013, and restores conformity with the federal earned income tax credit. The bill contains an emergency clause. This bill is identical to SB 1241.

#### HB 2151 PUBLIC SCHOOLS; EVALUATION POLICIES AND GRIEVANCE PROCEDURES.

This bill makes several changes to the processes by which teachers and certain administrators are evaluated. The bill requires teachers, assistant principals, and principals to be evaluated every year, either formally or informally, and such evaluations to include student academic progress as a significant component and an overall summative rating. The bill allows local school boards to increase from three years to five years the term of probationary service required before a teacher becomes eligible for a continuing contract.

---

The bill also changes the grievance procedure for teachers by giving local school boards the option to assign a grievance hearing to be heard by an impartial hearing officer designated by the local school board and by removing the option for a grievance to be heard in front of a fact-finding panel. This bill is identical to SB 1223.

**HB 2152 TRANSPORTATION DISTRICT COMMISSIONS;  
MEMBERSHIP.**

This bill gives the Chairman of the Commonwealth Transportation Board or his designee equal voting weight on the Virginia Railway Express oversight board. The bill also provides that the Chairman of the Commonwealth Transportation Board or his designee shall be included for purposes of constituting a quorum on certain transportation commissions and shall have voting rights equal to the appointees of component governments. This bill has a delayed effective date of July 1, 2014.

**HB 2154 VIRGINIA WORKFORCE COUNCIL; POWERS AND  
DUTIES, CHANGE IN MEMBERSHIP.**

This bill provides for the Virginia Workforce Council to review the state's annual plan for postsecondary vocational education activities authorized under the federal Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. § 2301 et seq.) to ensure that the plan is aligned with the state's plan for coordinating programs authorized under Title I of the federal Workforce Investment Act of 1998 (29 U.S.C. § 2801 et seq.) and the federal Wagner-Peyser Act (29 U.S.C. § 49 et seq.). The bill provides for the Governor to appoint to the Council a state director of career and technical education and two representatives who have been nominated by state labor federations in place of two positions currently filled by the President of the Virginia AFL-CIO and a representative of labor appointed by the Governor. The bill also allows the Secretaries of Commerce and Trade, Education, and Health and Human Resources to appoint designees to serve in their stead on the Council. The bill is identical to SB 1177.

**HB 2155 INSURANCE PREMIUMS LICENSE TAX; TECHNICAL  
CORRECTIONS FOR ADMINISTRATION.**

This bill makes technical corrections to facilitate the transfer of the administration of the state insurance premiums license tax from the State Corporation Commission to the Department of Taxation pursuant to legislation passed by the 2011 Session of the General Assembly. This bill is identical to SB 1216.

**HB 2157 FINANCIAL INSTITUTIONS; CHECKS REQUIRED TO SHOW DATE ACCOUNT WAS OPENED.**

This bill repeals the requirement that checks and similar instruments of a financial institution located in the Commonwealth display the month and year in which the account was opened. This bill is identical to SB 1249.

**HB 2158 OFFICERS OF ELECTION; OFFICERS MAY BE ASSIGNED TO WORK IN MULTIPLE PRECINCTS ON ELECTION DAY.**

This bill provides that the local electoral board may reassign an officer of election from the precinct in which he was originally assigned to work to another precinct for the remaining portion of election day. This bill is identical to SB 693.

**HB 2161 NURSES; AUTHORITY TO POSSESS AND ADMINISTER OXYGEN TO TREAT EMERGENCY MEDICAL CONDITIONS.**

This bill provides that a prescriber may authorize registered nurses and licensed practical nurses to possess oxygen for administration in treatment of emergency medical conditions.

**HB 2162 MONEY ORDER SALES AND MONEY TRANSMISSION SERVICES; PROVISIONS.**

This bill exempts from requirements governing the business of selling money orders or transmitting money (i) any state, or any department, instrumentality, agency, locality, municipality, or political subdivision thereof, and (ii) any entity that has been explicitly designated in a written agreement as an agent of any governmental authority or unit. Any funds collected by the agent shall be deemed to be received by the governmental

---

---

authority or unit. Such a governmental authority or unit will not be barred from seeking indemnification from its agent for any direct losses incurred due to the agent's failure to remit funds in accordance with its agreement.

**HB 2167 INCOME TAX, STATE; DEDUCTIONS FOR PREPAID FUNERAL, MEDICAL, AND DENTAL INSURANCE PREMIUMS.**

This bill provides that beginning January 1, 2013, an individual age 66 or older with earned income of at least \$20,000 for the year and federal adjusted gross income not in excess of \$30,000 for the year is allowed to deduct the amount he pays annually for (i) a prepaid funeral insurance policy that covers him or (ii) medical or dental insurance premiums for any person for whom individual tax filers may claim a deduction for such premiums under federal income tax laws.

**HB 2174 WORKERS' COMPENSATION; COMMISSION MAY REVIEW ANY AWARD OF COMPENSATION, COMPENSATION BENEFITS.**

This bill provides that wages paid to an employee who is physically unable to return to his pre-injury work due to a compensable injury and who is provided work within his capacity at a wage equal to or greater than his pre-injury wage shall be considered compensation paid pursuant to an award for compensation but shall not result in a reduction of the maximum number of weeks of compensation benefits. Any award of compensation may be reviewed by the Workers' Compensation Commission.

**HB 2175 VETERANS CARE CENTER; CONSTRUCTION IN NORTHERN VIRGINIA.**

This bill authorizes the Governor to request federal funds to construct a new veterans care center in Northern Virginia, and requires the State Treasurer to issue a short-term treasury loan in an amount up to \$28.5 million for the state share of construction costs, once the U.S. Department of Veterans Affairs has determined that federal funds will be allocated for the new center.

---

---

**HB 2176 NORTHAMPTON COUNTY SCHOOL BOARD; TERMS OF MEMBERS.**

This bill shortens or lengthens the terms of the currently appointed members of the Northampton County School Board so they all expire on December 31, 2013, and provides for the initial staggering of terms of the members elected to the board in the November 2013 general election. This bill contains an emergency clause.

**HB 2177 COUNSELING, BOARD OF; QUALIFICATION OF MEMBERS, ETC.**

This bill reduces the number of professional counselors on the Board of Counseling from eight to six, increases the number of marriage and family therapists from two to three and requires that such members be clinical fellows of the American Association for Marriage and Family Therapy, increases the number of licensed substance abuse treatment practitioners from two to three, and requires at least two professional members representing each specialty to have been in active practice for at least four years. The bill eliminates the requirement that the professional members of the Board include two full-time faculty and two individuals engaged in private practice. The bill also removes certain conditions of initial appointment for professional members.

**HB 2178 CHARITABLE GAMING; AUTHORIZES NETWORK BINGO.**

This bill authorizes the conduct of a new charitable game known as network bingo. The bill sets out the terms and conditions under which network bingo may be conducted, provides for the licensing of network bingo providers, and sets the maximum prize amount for network bingo. The bill defines the terms "network bingo," "pari-mutuel play," and "network bingo provider." With the exception of the provision requiring the Board of Charitable Gaming to establish regulations, the bill has a delayed effective date of January 1, 2014. The bill also contains technical amendments. The bill is identical to SB 930.

---

---

**HB 2180 ELECTRIC UTILITIES; RENEWABLE ENERGY PORTFOLIO STANDARD PROGRAM, ELIGIBLE ENERGY.**

This bill provides that renewable energy that is purchased by a participating utility under an agreement executed on or after July 1, 2013, will count toward meeting the RPS Goals of the renewable energy portfolio standard program only if the agreement expressly transfers ownership of renewable attributes, in addition to ownership of the energy, to the participating utility. The bill also provides that renewable energy generated by the utility will be counted toward meeting the RPS Goals if it is from a facility in which the public utility owns at least a 49 percent interest that is located in the Commonwealth, in the interconnection region of the regional transmission entity of which the utility is a member, or in a control area adjacent to such interconnection region. Renewable energy represented by renewable energy certificates will continue to be eligible to be counted toward meeting the RPS Goals. This bill is identical to SB 1259.

**HB 2181 MEDICAL EQUIPMENT SUPPLIERS; DELIVERY OF STERILE WATER AND SALINE.**

This bill adds sterile water and saline to the list of prescription drugs and devices that a permitted medical equipment supplier may receive, store, and distribute to a consumer.

**HB 2184 HUNTING AND FISHING; AUTHORIZES BOARD OF GAME AND INLAND FISHERIES TO ISSUE TRIP LICENSES.**

This bill authorizes the Board of Game and Inland Fisheries to issue trip hunting licenses to nonresidents and trip fishing licenses to residents and nonresidents for time periods and at costs determined by the Board. Current law allows nonresidents to purchase a three-day trip hunting license at a cost of \$40 and a five-day trip fishing license at a cost of \$10 and allows residents to purchase a five-day trip fishing license at a cost of \$5.

**HB 2186 REAL PROPERTY; AUTHORIZES VDOT TO CONVEY CERTAIN PROPERTY CONTROLLED BY DEPARTMENT IN ALBEMARLE CO.**

This bill authorizes VDOT to exchange real property controlled by the

Department in Albemarle County for private property owned by the Wachtmeister 1981 Revocable Trust in exchange for land adjoining the Keene Area Headquarters for installation of a septic drain field for the Headquarters.

**HB 2189 HOME CARE ORGANIZATIONS; PROOF OF INITIAL RESERVE OPERATING FUNDS.**

This bill requires every applicant for an initial license to operate a home care organization to submit proof of sufficient initial reserve operating funds in an amount determined by the State Board of Health, which shall be sufficient to ensure operation of the home care organization for at least three months after licensure. Funds may include a mix of cash, cash equivalents, borrowed funds, and funds available through a line of credit.

**HB 2190 STORMWATER MANAGEMENT ORDINANCES; REQUIRES LOCALITIES TO ADOPT MORE STRINGENT REQUIREMENTS, ETC.**

This bill establishes a procedure for state review of the stringency of local stormwater ordinances. The bill requires localities within 30 days of the adoption of a more stringent stormwater ordinance or requirement to submit a letter report to the Department of Conservation and Recreation. The letter report is to include an explanation as to why the more stringent ordinance or requirement is necessary. In addition, within 90 days of the ordinance's adoption, a landowner or his agent can request the Department of Conservation and Recreation to determine whether the ordinance or requirement meets the standards of the state law. The Department has 90 days to make such a determination.

**HB 2191 COURT-APPOINTED GUARDIANS OF INCAPACITATED PERSONS; ANNUAL REPORT.**

This bill requires court-appointed guardians of incapacitated persons to file the annual report of all money and other property received, chargeable, or disbursed with the local department of social services where the incapacitated person resides. Under current law, a guardian must file the annual report with the local department of social services for the jurisdiction where the guardian was appointed, which must then forward the report to the local department where the incapacitated person resides.

---

---

**HB 2193 CHILD ABUSE INVESTIGATIONS; EMPLOYEES OF SCHOOL DIVISIONS.**

This bill expands the class of individuals whom a local department of social services must report to a local school board upon determination that a complaint alleging that such individual has committed child abuse or neglect is a founded complaint from any full-time, part-time, permanent, or temporary teacher to any full-time, part-time, permanent, or temporary employee of a school division.

**HB 2194 CAPITAL OUTLAY; ESTABLISHES REVISED SIX-YEAR PLAN FOR PROJECTS.**

This bill establishes a revised six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources. This bill is identical to SB 1265.

**HB 2197 WILLS, TRUSTS, POWERS OF ATTORNEY, ETC.; CONSTRUCTION OF USE OF OLD CODE SECTIONS.**

This bill provides that references to former Code sections that were repealed and replaced during the recodification of Title 64.1 in wills, trust instruments, powers of attorney, or other instruments made after the effective date of Title 64.2 shall be construed to refer to the current Code section in Title 64.2.

**HB 2200 PROPERTY OWNERS' ASSOCIATION ACT; LOT OWNER PERMITTED TO OPERATE HOME-BASED BUSINESS, ETC.**

This bill provides that, except to the extent the declaration or rules and regulations duly adopted pursuant thereto expressly provide otherwise, no association shall prohibit any lot owner from operating a home-based business on his lot. The bill allows an association to establish reasonable restrictions as to (i) the time, place, and manner of the operation of a home-based business and (ii) the size, placement, duration, and manner of the placement or display of any signs on the owner's lot related to such business. The bill requires any home-based business to comply with all

applicable local ordinances and provides that the General Assembly finds that the bill's objectives serve the public interest by promoting Virginia's small businesses.

**HB 2202 VEHICLE TOWING CHARGES; INCREASES MAXIMUM HOOKUP AND INITIAL TOWING FEE.**

This bill increases from \$125 to \$135 the maximum hookup and initial towing fee that may be charged for the towing of a passenger car from private property without its owner's consent, unless a local ordinance sets a different limit.

**HB 2203 SOLID WASTE DISPOSAL FEE; PITTSYLVANIA COUNTY MAY PROVIDE AN EXEMPTION TO CERTAIN VETERANS.**

This bill provides that Pittsylvania County may impose a fee for solid waste disposal in part to purchase or subsidize the purchase of equipment used for the collection of solid waste. The bill also provides that in Pittsylvania County the fee (i) may only be levied upon persons whose residential solid waste is disposed of at a county landfill or county solid waste collection or disposal facility and (ii) shall not be levied upon persons whose residential waste is not disposed of in such landfill or facility if such nondisposal is documented by the collector or generator of such waste as required by ordinance of the county. The bill also allows Pittsylvania County to provide for an exemption from such fees for certain disabled veterans.

**HB 2209 VIRGINIA SOIL AND WATER CONSERVATION BOARD; POWERS AND DUTIES.**

This bill transfers authority for administration of the nutrient management certification program and responsibility for adopting regulations on nitrogen application rates from the Department of Conservation and Recreation to the Virginia Soil and Water Conservation Board. The bill also empowers the Board to oversee districts' programs and to allocate general fund moneys to soil and water conservation districts to support their operations. This bill is identical to SB 1309.

**HB 2211 STALKING; CLASS 6 FELONY FOR CONVICTION OF SECOND OFFENSE WITHIN FIVE YEARS OF PRIOR CONVICTION.**

This bill provides that, upon conviction of a second offense of stalking occurring within five years of a prior conviction of such an offense, if such person was also convicted within the five-year period prior to the instant offense of a violation of (i) assault and battery and other crimes against the person when the victim of that crime was the same person who was the victim of the stalking activity in the instant conviction, (ii) domestic assault, or (iii) a protective order, such person is guilty of a Class 6 felony.

**HB 2215 CHARLES K. "PETE" ESTES MEMORIAL BRIDGE; DESIGNATING NEWLY REPLACED U.S. ROUTE 522 BRIDGE.**

This bill designates the newly replaced U.S. Route 522 bridge in Sperryville as the "Charles K. 'Pete' Estes Memorial Bridge."

**HB 2216 LOCAL BOUNDARIES FOR LAW-ENFORCEMENT; ORGANIZING FOR PURPOSE OF 911 DISPATCH AND RESPONSE.**

This bill provides that localities may designate mutually agreed-upon boundary lines between contiguous localities for purposes of organizing 911 dispatch and response and clarifying issues related to coverage under workers' compensation and risk management laws.

**HB 2217 PEDESTRIANS, ETC; LOCAL GOVERNMENT MAY ADOPT ORDINANCES REQUIRING TO STOP AT MARKED CROSSWALKS.**

This bill allows local governing bodies to adopt ordinances requiring users of shared-use paths to stop before crossing highways at marked crosswalks. This bill is identical to SB 959.

**HB 2219 CIGARETTE TAXES; CERTAIN BOND OR IRREVOCABLE LETTER OF CREDIT REQUIREMENTS.**

This bill provides that the bond or irrevocable letter of credit required to be filed by a wholesale dealer to obtain cigarette tax stamps without payment of the cigarette tax be in a face amount determined by the Tax Commissioner to cover possible losses from nonpayment of the tax, but not to exceed two times the anticipated average monthly amount of purchases of cigarette tax stamps by the wholesale dealer. Under current law, the face amount of the bond or irrevocable letter of credit that is required to be filed is fixed at approximately two times the anticipated average monthly amount of purchases of cigarette tax stamps by the wholesale dealer. This bill is identical to SB 1092.

**HB 2220 BANISTER RIVER; DESIGNATES A PORTION OF AS A COMPONENT OF VIRGINIA SCENIC RIVERS SYSTEM.**

This bill designates a 38.4-mile segment of the Banister River as a state scenic river.

**HB 2222 APPRAISAL MANAGEMENT COMPANIES; PROVISION OF APPRAISAL SERVICES.**

This bill provides that an appraisal management company shall not enter into any contracts or agreements with an independent appraiser for the performance of real estate appraisal services unless the independent appraiser is licensed to provide that service. Under current law, this limitation was for the performance of residential real estate appraisal services.

**HB 2226 GRASS AND WEEDS; ADDS TOWN OF CEDAR BLUFF TO LIST OF LOCALITIES.**

This bill adds the Town of Cedar Bluff to the list of localities that may, by ordinance, have agents or employees of the locality cut grass and weeds from occupied property and charge the cost to the property owner.

**HB 2228 OVERWEIGHT VEHICLE PERMITS; ENGINEERING ANALYSIS PRIOR TO ISSUANCE NOT TO EXCEED THREE HOURS.**

This bill provides that the fee for engineering analysis performed prior to issuance of an overweight vehicle permit is not to exceed three hours.

**HB 2231 VIRGINIA MILITARY SURVIVORS AND DEPENDENTS EDUCATION FUND; AMOUNT OF FINANCIAL ASSISTANCE.**

This bill specifies that qualified survivors and dependents are eligible for financial assistance from the Virginia Military Survivors and Dependents Education Fund in an amount up to \$2,000 or as provided in the appropriation act for board and room charges, books and supplies, and other expenses at any public institution of higher education or other public accredited postsecondary institution granting a degree, diploma, or certificate in the Commonwealth. The bill is contingent upon funding in the general appropriation act adopted by the 2013 Session of the General Assembly, which becomes law.

**HB 2236 RS&UT; EXEMPTION FOR SEPARATELY CHARGED AMOUNTS FOR LABOR, ETC., ON PROPERTY SOLD OR RENTED.**

This bill clarifies that the sales and use tax exemption for separately stated charges for installing personal property sold, includes property that is rented.

**HB 2237 VOLUNTARY REGULATORY SELF-ASSESSMENTS BY BANKS; PRIVILEGE.**

This bill creates a privilege for self-assessment reports of a bank or its holding company, affiliates, and subsidiaries. The privilege makes a self-assessment report not admissible or subject to discovery in civil or administrative proceeding. The privilege shall not apply if it is waived; if the report is disclosed to certain third parties; if it is determined that the privilege is being asserted for a fraudulent purpose or that the report was prepared to avoid disclosure of information in a proceeding that was underway at the time of its preparation, or the report addresses a matter reasonably expected to cause imminent and substantial harm to bank customers or consumers; or if the report is requested by a bank regulator under certain circumstances. This bill is identical to SB 988.

**HB 2238 RECORDED PLATS & FINAL SITE PLANS; PLAN SHALL BE DEEMED FINAL ONCE IT HAS BEEN REVIEWED & APPROVED.**

This bill provides that a site plan shall be deemed final once it has been reviewed and approved by the locality if the only requirements remaining to be satisfied in order to obtain a building permit are the submission of any other administrative documents, agreements, deposits, or fees required by the locality in order to obtain the permit. The bill also amends a 2012 act by adding an enactment that clarifies the validity of previous extensions of valid plats and site plans.

**HB 2239 CASH PROFFERS; SHALL NOT BE USED FOR ANY CAPITAL IMPROVEMENT TO AN EXISTING FACILITY.**

This bill provides that cash proffers shall not be used for any capital improvement to an existing facility that does not expand facility capacity or for any operating expense of an existing facility such as ordinary maintenance or repair.

**HB 2241 VACANT BUILDING; ADDS TOWN OF CLIFTON FORGE TO LOCALITIES REQUIRING BUILDING OWNER REGISTRATION.**

This bill adds the Town of Clifton Forge to those localities with authority to require the owner or owners of buildings that have been vacant for a continuous period of 12 months or more to register such buildings on an annual basis and to impose an annual registration fee not to exceed \$25 to defray the cost of processing such registration. Failure to register shall be punishable by a \$50 civil penalty. This bill is identical to SB 1282.

**HB 2243 ESCORT VEHICLE DRIVERS; CERTIFICATION AND REGULATION IN STATE.**

This bill provides for the certification and regulation of escort drivers in the Commonwealth. The bill also adds a traffic infraction for impeding or disrupting vehicles operating under a hauling permit that requires an escort vehicle. The bill has a delayed effective date of January 1, 2014. This bill is identical to SB 1284.

---

---

**HB 2245 VIRGINIA'S FUTURE, COUNCIL ON; EXTENDS SUNSET PROVISION.**

This bill extends the sunset date from July 1, 2013, to July 1, 2017, for the Council on Virginia's Future. This bill is identical to SB 1257.

**HB 2246 HEALTH BENEFIT EXCHANGE; REGULATION OF NAVIGATORS, REPORT.**

This bill prohibits an individual or entity selected to serve as a navigator in a health benefit exchange from engaging in any activity that would require an insurance agent license under Title 38.2, offering advice about which qualified health plan or qualified dental plan is better or worse for a particular individual or employer, acting as an intermediary between an employer and an insurer that offers a qualified health plan or qualified dental plan offered through an exchange, or violating certain unfair trade practice and privacy requirements. The measure also prohibits an individual or entity from claiming to be, or holding himself or itself out as, a navigator or conducting business as a navigator in the Commonwealth without having been selected as a navigator in accordance with applicable federal law and without having evidence of successful completion of requirements prescribed by the federal Secretary of Health and Human Services. The State Corporation Commission is authorized to order violators to cease and desist prohibited conduct and is required to monitor and report on the activities of navigators in the Commonwealth.

**HB 2248 MONEY LAUNDERING; ADDS INVESTIGATIONS OF VIOLATIONS TO MULTIJURISDICTION GRAND JURIES.**

This bill adds investigations of money laundering violations to the jurisdiction of multijurisdiction grand juries.

**HB 2249 WILLIAM AND MARY, THE COLLEGE OF; MANAGEMENT AGREEMENT BETWEEN THE COMMONWEALTH.**

This bill removes the responsibility for building code compliance at Richard Bland College from the designated Building Official at the College of William and Mary. This bill is identical to SB 912.

**HB 2254 MENHADEN FISH; ALLOWABLE CATCH FOR THOSE LANDED IN STATE, REPORT. EMERGENCY.**

This bill establishes a total allowable landings of 144,272.84 metric tons per year for Atlantic menhaden landed in Virginia by the purse seine menhaden reduction sector, the purse seine menhaden bait sector, and the non-purse seine menhaden bait sector. This legislation authorizes the Commission to establish and administer a limited entry purse seine menhaden bait license according to specific criteria. This total allowable landings represents a 20 percent reduction from the average 2009, 2010, and 2011 landings, as mandated by the Atlantic States Marine Fisheries Commission. Any overage of the total allowable landings in the current year will result in a reduction of the total allowable landings in the following year. The Commissioner may administer the interstate transfer of menhaden landings. The total allowable landings for menhaden shall be allocated in proportion to each sector's share of average landings in 2002 through 2011, with the Commission authorized to establish an Individual Transferable Quota System for any purse seine menhaden bait licensee according to specific requirements. Guidelines for the monitoring of all sectors of the menhaden fishery that may result in a closure of any or all sectors are established. Upon the closing of the non-purse seine sector, any person may possess and land up to 6,000 pounds of menhaden per day, and such landings shall be reported to the Commission but shall not count against the annual total allowable landings. All licensees of the three menhaden sectors shall report to the Commission according to the requirements established by the Commission. The Commission shall establish a biological sampling program to include development of an adult menhaden survey index from Virginia pound nets. License fees are established for the purse seine menhaden reduction and purse seine menhaden bait sectors, according to fees adjusted in 2005 as \$249 for vessels under 70 gross tons and \$996 for vessels 70 gross tons or over. The Commission may limit the number of gear licenses or permits to fish, except for those licenses in the purse seine reduction sector. The annual menhaden harvest cap for the purse seine menhaden reduction sector shall be 87,216 metric tons, subject to annual adjustments for under-harvest or over-harvest of the cap. The bill contains a sunset date of January 1, 2015. The bill states that an emergency exists and that the bill is in force from its passage.

---

---

**HB 2255 VOTER LISTS; STATE BOARD OF ELECTIONS TO UPDATE, ETC, LIST OF PERSONS WHO VOTED AT ELECTIONS, ETC.**

This bill requires a local electoral board to submit the list of persons who voted at any election to the State Board of Elections within 60 days after each election unless such list is not available due to a pending recount or election contest. The State Board shall make available such lists no later than seven days after receiving them from the electoral board.

**HB 2256 SOUTHWEST VIRGINIA CULTURAL HERITAGE FOUNDATION; MEMBERSHIP OF BOARD OF TRUSTEES. EMERGENCY.**

This bill increases the membership of the board of trustees of the Southwest Virginia Cultural Heritage Foundation from 22 to 23 by adding the Chairman of the Friends of Southwest Virginia. The bill contains an emergency clause.

**HB 2260 CHARTER; TOWN OF COEBURN.**

Clarifies that the town council may appoint certain town officers.

**HB 2261 INVESTOR-OWNED ELECTRIC UTILITIES; ELECTRIC UTILITY RATEMAKING. EMERGENCY.**

This bill revises certain incentives and other provisions applicable to investor-owned electric utilities under the 2007 re-regulation legislation. The measure (i) eliminates the 50 basis point performance incentive that has been available to utilities that attain the renewable energy portfolio standard goals; (ii) replaces the provision that has authorized the State Corporation Commission (SCC) to adopt a performance incentive that may increase or decrease a utility's combined rate of return by up to 100 basis points, based on a comparison of the utility's generating plant performance, customer service, and operating efficiency with nationally recognized standards, with a provision that authorizes the SCC to increase or decrease the utility's combined rate of return consistent with its precedent for incumbent electric utilities prior to the 2007 re-regulation legislation; (iii)

increases the threshold for determining whether the utility's earned combined rate of return on common equity is excessive or insufficient, for test periods commencing after December 31, 2012, from 50 basis points above or below the return determined by the SCC to 70 basis points above or below such return; (iv) eliminates the provision that requires the SCC, when it determines that rates should be revised or credits applied to customers' bills, to combine a rate adjustment clause previously implemented to recover transmission-related costs with the utility's costs, revenues, and investments until the amounts that are the subject of the rate adjustment clause are fully recovered; (v) eliminates the provision that authorizes the SCC to include in a rate adjustment clause for environmental costs the enhanced rate of return on common equity that is provided for new generation facilities if the environmental costs reduce the need for constructing new generation facilities by enabling the continued operation of existing generation facilities; (vi) requires a utility seeking approval to construct a generating facility to demonstrate that it has considered and weighed alternative options, including third-party market alternatives, in its selection process; (vii) eliminates the authorization for a utility to earn an enhanced rate of return on the costs of a new generation facility during the first portion of its service life if the facility does not utilize nuclear power or offshore wind, unless the SCC has approved a rate adjustment clause for the facility by July 1, 2013, or the utility filed a petition therefor on or before January 1, 2013; (viii) reduces the potential enhanced rate of return on the costs of a new generation facility utilizing nuclear power or offshore wind from 200 to 100 basis points; (ix) requires certain costs related to early retirement of generation plants, severe weather events, and natural disasters to be deemed to have been recovered through customer rates during the test period under review unless doing so would place the utility in an under-earning position, in which event the SCC is required to authorize deferred recovery of such costs and allow the utility to amortize and recover the deferred costs over future periods; and (x) directs that the fair combined rate of return on common equity determined by the SCC in a biennial rate review shall apply to the entire two successive 12-month test periods ending December 31 immediately preceding the year of the utility's subsequent biennial review filing for purposes of reviewing the utility's earnings on its rates for generation and distribution services. The measure also requires Appalachian Power, referred to as a Phase I utility, to delay the filing of its next biennial review from March 31, 2013, until March 31, 2014. Such a utility is prohibited from deferring on its books for future recovery certain costs incurred during calendar year 2011 and is required to file subsequent biennial filings by March 31, 2016, and every two years thereafter. The bill also provides that if the combined rate of return on

common equity earned by generation and distribution services for the period under review is no more than 70 basis points above or below the return determined for this utility, the combined return shall not be considered either excessive or insufficient, respectively. In addition, the measure provides that for any test period commencing after December 31, 2012, for Dominion, referred to as a Phase II Utility, and after December 31, 2013, for Appalachian Power, if the utility has, during the test period or periods under review, earned below the return determined for the utility, the utility may petition the State Corporation Commission for approval of an increase in rates as if it had earned more than 70 basis points below a fair combined rate of return. The bill states that an emergency exists and is in force from its passage.

#### **HB 2262 NONPROFIT ORGANIZATIONS; EXEMPTIONS FROM REGULATIONS APPLICABLE TO RESTAURANTS, ETC.**

This bill exempts, from the regulations applicable to restaurants, certain nonprofit organizations that hold occasional fund raisers for the duration of the event at which food (i) prepared in the homes of members; (ii) prepared in the kitchen of the organization; or (iii) purchased or donated from a licensed restaurant is offered for sale to the public. The bill also provides that licensed restaurants that donate or sell food at such fund raisers are not required to apply for additional permits or pay any additional permit fees to the Department of Health.

#### **HB 2265 CASH PROFFERS; LOCALITY MAY WAIVE CERTAIN WRITTEN NOTICE REQUIREMENTS TO REDUCE OUTSTANDING PAYMENT.**

This bill provides that a locality may waive certain written notice requirements in order to reduce, suspend, or eliminate outstanding cash proffer payments for residential construction calculated on a per-dwelling-unit or per-home basis that have been agreed to, but unpaid, by any landowner.

#### **HB 2266 WIRETAPPING; AUTHORIZATION FOR MONITORING BY SHERIFF'S OFFICE.**

This bill provides that the Attorney General may apply for authorization

for the observation or monitoring by a sheriff's office of an interception of communications; under existing law the same may be done for a police department of a county or city or for U.S. law-enforcement officers. This bill is identical to SB 1373.

**HB 2268 ALCOHOLIC BEVERAGE CONTROL; PRIVILEGES OF FARM WINERY LICENSEES.**

This bill allows a farm winery licensee to pre-mix wine to be served and sold for on-premises consumption at the retail establishments of the licensee.

**HB 2269 MANDATORY MINIMUM SENTENCES; TERMS OF CONFINEMENT OR IMPRISONMENT TO BE SERVED CONSECUTIVELY.**

This bill provides that for certain crimes where a mandatory minimum sentence of imprisonment must be imposed on the guilty party, such sentence shall be served consecutively with any other sentence imposed on such party. The crimes included in the bill are §§ 16.1-253.2 (violation of protective orders), 18.2-46.3:3 (street gang activity in gang-free zones), 18.2-60.4 (violation of protective orders), 18.2-61 (rape), 18.2-67.1 (forcible sodomy), 18.2-67.2 (object sexual penetration), 18.2-154 (shooting or throwing missiles at law-enforcement or emergency vehicles), 18.2-308.2:2 (purchasing firearm with intent to resell or provide to a person ineligible to purchase or receive a firearm), 18.2-374.1 (production of child pornography), and 18.2-374.1:1 (possession or distribution of child pornography). This bill is identical to SB 832.

**HB 2270 SOCIAL SERVICES, DISTRICT BOARD OF; PROCESS FOR WITHDRAWAL BY LOCAL GOVERNING BODY OF COUNTY, ETC.**

This bill establishes a process for withdrawal from a district board of social services by the local governing body of a county or city and provides for judicial review in cases in which the Board of Social Services fails or refuses to approve the terms and conditions of a proposed plan for withdrawal from a district board of social services by a local government. The bill contains a reenactment clause.

---

---

**HB 2271 POST-ADOPTION SERVICES; DSS SHALL UTILIZE ALL FEDERAL BONUS PAYMENTS TO SUPPORT.**

This bill requires the Department of Social Services to utilize all federal adoption bonus payments received in a fiscal year to support post-adoption services.

**HB 2272 MOTOR VEHICLE ACCIDENT; SATISFACTION OF JUDGMENTS FOR DAMAGES, SUSPENSIONS REQUESTED BY CREDITOR.**

This bill provides that a suspension of a judgment debtor's driver's license shall not extend (i) beyond 10 years from the date of judgment for any civil judgment obtained in a general district court or (ii) beyond 20 years from the date of judgment for any civil judgment obtained in a circuit court. The bill has a delayed effective date of January 1, 2014.

**HB 2273 ENTERPRISE ZONE GRANT PROGRAM; REDESIGNATION OF CERTAIN JOINT ENTERPRISE ZONES.**

This bill provides that when a county or city was previously added to an existing enterprise zone to create a joint enterprise zone, the Department of Housing and Community Development shall redesignate the enterprise zone when the term of the joint enterprise zone expires. The redesignated enterprise zone's duration shall be equal to the length of time the original enterprise zone existed before the county or city was added to create the joint enterprise zone.

**HB 2275 CONDOMINIUM ACT; EXPANDS RESPECTIVE DECLARANT CONTROL PERIOD, WARRANTY REVIEW COMMITTEES.**

This bill expands the respective declarant control period during which the declarant has reserved the power to add more units to the condominium, notwithstanding the limitations in the Condominium Act, at the request of the declarant, provided that (i) a special meeting is held prior to the expiration of the initial period of declarant control; (ii) at such special

meeting, the extension of such time limits is approved by a two-thirds affirmative vote of the unit owners other than the declarant; and (iii) at such special meeting, there is an election of a warranty review committee consisting of no fewer than three persons unaffiliated with the declarant. The bill details the notice that must be provided prior to any vote on the extension of declarant control and the authority that may be exercised by the warranty review committee. The bill also requires the Common Interest Community Board to develop the disclosure statement required in the event a declarant requests that the period of declarant control be extended within 30 days of the effective date of the act. Under the bill, for any condominium existing on July 1, 2013, the condominium instrument for such condominium may be amended in the manner prescribed in the relevant condominium instrument or by statute to conform to the provisions of the bill. The bill includes an emergency provision.

**HB 2276 VIRGINIA PORT AUTHORITY; REFORM BY ADDING CHIEF EXECUTIVE OFFICER TO BOARD OF COMMISSIONERS, ETC.**

This bill implements reforms of the Virginia Port Authority by adding the Chief Executive Officer of the Virginia Economic Development Partnership to the Board of Commissioners, adding the Virginia Port Authority Executive Director to the Commonwealth Transportation Board, and preventing the Commonwealth and the Virginia Port Authority from accepting any unsolicited proposal under the Public-Private Transportation Act or the Public-Private Education Facilities and Infrastructure Act regarding the ownership or operation of any seaport or port facility. The bill grants the powers of industrial development authorities to the Virginia Port Authority and exempts the port from various purchasing and procurement requirements. This bill is identical to SB 1305.

**HB 2279 CHILDREN; PLACEMENT OF NONRESIDENT CHILD IN STATE RESIDENTIAL FACILITY.**

This bill eliminates language providing that regulations of the Board of Social Services shall not prohibit placement of a nonresident child in a children's residential facility in the Commonwealth by a custodial parent who assumes full financial responsibility for the child prior to final approval of the placement pursuant to the Interstate Compact on the Placement of Children when the placement is made without the involvement of a public officer or agency.

**HB 2280 VIRGINIA FREEDOM OF INFORMATION ACT;  
EXEMPTS RECORDS OF DISASTER RECOVERY PLANS, ETC.**

This bill exempts from mandatory disclosure records of hospitals and nursing homes regulated by the Board of Health that are provided to the Board, to the extent such records reveal the disaster recovery plans or the evacuation plans for such facilities in the event of fire, explosion, natural disaster, or other catastrophic event. The bill provides that nothing shall be construed to prohibit the disclosure of records relating to the effectiveness of executed evacuation plans after the occurrence of fire, explosion, natural disaster, or other catastrophic event.

**HB 2288 ALCOHOLIC BEVERAGE CONTROL; MIXED  
BEVERAGE LICENSES FOR CERTAIN PROPERTIES IN  
WYTHE COUNTY.**

This bill authorizes the ABC Board, notwithstanding the requirement for a referendum, to grant a mixed beverage license to any establishment located on property within 1,500 feet of Interstate 81 on either frontage road between mile markers 75 and 86 in the County of Wythe.

**HB 2291 LOCAL CORRECTIONAL FACILITIES; PROCEEDS  
FROM COMMISSARY.**

This bill allows stores in local correctional facilities to provide services as well as articles and provides that proceeds that are generated from a source other than inmate accounts may be used for the general operation of the sheriff's office.

**HB 2292 CERTIFICATE OF PUBLIC NEED; CLARIFIES WHEN  
COMMISSIONER OF HEALTH SHALL ACCEPT CERTAIN  
APPLICATIONS.**

This bill establishes a procedure for acceptance and review, by the Commissioner of Health, of applications (i) for the transfer of nursing facility beds from one planning district to another planning district in the absence of a Request for Applications and (ii) for an open admissions

period for nursing home beds of a continuing care retirement community.

**HB 2294 INMATES; CARNAL KNOWLEDGE, EXPANSION TO INCLUDE DEFENDANTS ON BOND, PENALTY IS CLASS 1 MISDEMEANOR.**

This bill provides that an accused is guilty of carnal knowledge of a pretrial defendant or posttrial offender if he (i) is an owner or employee of the bail bond company that posted the pretrial defendant's or posttrial offender's bond, (ii) has the authority to revoke the pretrial defendant's or posttrial offender's bond, and (iii) carnally knows, without use of force, threat, or intimidation, a pretrial defendant or posttrial offender. Such offense is a Class 1 misdemeanor.

**HB 2298 BILLBOARDS; ESTABLISHES CONDITIONS UNDER WHICH CERTAIN SIGNS MAY BE ADJUSTED OR RELOCATED, ETC.**

This bill establishes conditions under which certain billboard signs may be relocated if land on which the billboard sign is located is acquired by eminent domain in connection with a highway project.

**HB 2300 ALCOHOLIC BEVERAGE CONTROL; TIED HOUSE EXCEPTION.**

This bill provides an exception from the tied house restrictions by allowing the granting of any retail license to a distillery licensee, or to an applicant for such license, or to a lessee of such person, a wholly owned subsidiary of such person, or its lessee under certain circumstances. Under current law, this exception is authorized for brewery and winery licensees.

**HB 2301 VOLUNTEER FIRE/EMS DEPARTMENTS; LOCALITIES MAY HAVE ORDINANCES THAT INCLUDE BILLING PROPERTY OWNERS.**

This bill allows localities to directly bill homeowners on behalf of local volunteer fire departments under certain circumstances. This bill is identical to SB 881.

**HB 2303 TRANSIENT OCCUPANCY TAX; ARLINGTON COUNTY MAY IMPOSE ADDITIONAL TAX.**

This bill reinstates the authority of Arlington County, which expired pursuant to a January 1, 2012, sunset date, to impose an additional transient occupancy tax at a rate not to exceed one-fourth of one percent. The revenues from the tax shall be spent solely for the purpose of promoting tourism and business travel in the county. The bill has a sunset date of July 1, 2016. This bill is identical to SB 851.

**HB 2304 COMMERCIAL USE OF SEALS OF THE COMMONWEALTH; COMMEMORATIVE COINS, RECOMMENDATIONS.**

This bill specifies that commemorative coins minted at the direction of the Governor shall bear the seal of the Commonwealth on the obverse side of the coin and scenes of natural or historically significant locations in the Commonwealth as recommended by the Board of Tourism on the reverse side. The bill provides that proceeds from the sale of such coins shall be deposited in the Cooperative Marketing Fund established pursuant to § 2.2-2319.

**HB 2305 COMMUNITY ASSOCIATIONS; RESTRICTIONS ON SOLAR PANELS.**

Clarifies that a community association may establish reasonable restrictions concerning the size, place, and manner of placement of solar energy collection devices on property designated and intended for individual ownership and use. The bill also requires the resale certificate required under the Virginia Condominium Act and the disclosure packet under the Virginia Property Owners' Association Act to contain a statement setting forth any restriction, limitation, or prohibition on the right of an owner to install or use solar energy collection devices on his property. In addition, the bill adds to the seller's representation to a prospective purchaser of residential property under the Virginia Residential Property Disclosure Act that the seller makes no representations with respect to right to install or use solar energy collection devices on the property.

**HB 2306 EMINENT DOMAIN; CURRENT ASSESSED VALUE OF REAL PROPERTY, TAX ASSESSMENTS.**

This bill provides that just compensation paid for real property taken

pursuant to eminent domain shall not be less than the greater of (i) the appraisal of the fair market value of such property, if such an appraisal is required, or (ii) the current assessed value of such property for real estate tax purposes when the entire parcel for which the assessment has been made is to be acquired, provided that the property has not physically changed in a material and substantial since the current assessment was made such that the assessment no longer represents the property's value. Nothing in the bill makes evidence of tax assessments admissible as proof of value in an eminent domain proceeding. Under current law, just compensation shall not be less than the appraisal of fair market value if such an appraisal is required.

#### HB 2308 LOCAL CORRECTIONAL FACILITIES; ELECTRONIC VISITATION AND MESSAGING WITH PRISONERS.

This bill adds Voice-over-Internet Protocol technology and web-based communication systems used for communication between prisoners and third parties to the types of communication systems for which sheriffs and jail superintendents may charge a fee, except in cases in which the prisoner and the third party are located in the correctional facility or appurtenance thereto operated or controlled by the sheriff or jail superintendent, in which case the sheriff or jail superintendent must provide the service free of charge.

#### HB 2310 MOUNTAIN RIDGE CONSTRUCTION; LOCALITY TO DEFINE HEIGHT OF TALL BUILDINGS, ETC., FOR REGULATION.

This bill clarifies that localities have flexibility to define by ordinance the height of "tall buildings and structures" for purposes of mountain ridge construction regulation.

#### HB 2311 HIGHER EDUCATION FOR VIRGINIA, STATE COUNCIL OF; EXPANDS PURPOSE, INCREASES MEMBERSHIP, ETC.

This bill changes the State Council of Higher Education by (i) expanding its purpose, (ii) altering its membership and setting forth the qualifications of appointees, (iii) requiring the presidents of the public institutions of higher education in the Commonwealth to present information and

comment on issues of common interest at each meeting of the Council, and (iv) permitting the Council to involve other groups in its meeting agendas.

**HB 2312 PHARMACIES; CLARIFIES DEFINITION OF COMPOUNDING, ETC.**

This bill clarifies the definition of "compounding" and adds a requirement for a current inspection report for registration or renewal of a registration for a nonresident pharmacy. The bill also requires every pharmacist-in-charge or owner of a permitted pharmacy or a non-resident pharmacy engaging in sterile compounding to notify the Board of Pharmacy of its intention to dispense or deliver a sterile compounded drug product into the Commonwealth.

**HB 2315 VOLUNTEER RESCUE SQUADS, VA ASSOCIATION OF; TO SUBMIT AN ANNUAL FINANCIAL REPORT ON USE OF FUNDS.**

This bill requires the Virginia Association of Volunteer Rescue Squads to submit an annual financial report on the use of funds received from the special emergency medical services fund to the State Emergency Medical Services Advisory Board Executive Committee.

**HB 2316 VIRGINIA PUBLIC PROCUREMENT ACT; MULTIPLE PROJECT CONTRACTS FOR ARCHITECTURAL, ETC., SERVICES.**

This bill raises, in the case of airport and aviation transportation projects, the maximum cost of architectural or professional engineering services for all projects in one contract term of a multiple project contract from \$500,000 to \$1.5 million and for any single project from \$100,000 to \$500,000. For a locality or authority or sanitation district with a population in excess of 80,000, the bill raises the maximum cost of such services from \$1 million to \$2 million. The bill is identical to SB 1246.

**HB 2317 FIREARMS; RESIDENCY OF ARMED FORCES MEMBERS.**

This bill provides that residency for members of the armed forces for the

purpose of firearms purchases in the Commonwealth shall include both the member's permanent duty post and the nearby state in which the member resides and from which he commutes to the permanent duty post. This bill is identical to SB 1363.

#### HB 2318 CHARTER; TOWN OF RICHLANDS.

This bill provides a new charter for the town. The bill updates references to the Code of Virginia, provides gender neutrality, and corrects outdated provisions.

#### HB 2320 SPORTS OR ENTERTAINMENT ARENA; CITY OF VIRGINIA BEACH MAY CONSTRUCT FOR PROFESSIONAL SPORTS TEAMS.

This bill gives the City of Virginia Beach rights similar to those that had been given in the past to the Hampton Roads Sports Facility Authority in constructing an arena for professional sports teams or for conferences and entertainment events. Among those rights is the authority to (i) issue bonds to construct an arena and (ii) receive state sales tax revenue that is attributable to an arena, to repay the bonds.

#### HB 2322 COMMUNITY COLLEGES, STATE BOARD FOR; BOARD SHALL DEVELOP MENTAL HEALTH REFERRAL POLICIES, ETC.

This bill requires the State Board for Community Colleges to develop a mental health referral policy that would require community colleges to designate at least one individual at each college to serve as a point of contact with an emergency services system clinician at a local community services board, or another qualified mental health services provider, for screenings and referrals of students who may have emergency or urgent mental health needs. This bill is identical to SB 1078.

#### HB 2326 REGIONAL STRATEGIC PLANS; PREPARATION AND ADOPTION BY PLANNING DISTRICT COMMISSION.

---

---

This bill provides that in planning districts in which regional planning is conducted by multi-state councils of government, each planning district commission may prepare a regional strategic plan for the guidance of the district.

**HB 2328 BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES, DEPARTMENT OF; LIST OF LICENSED PROVIDERS ON WEBSITE.**

This bill requires the Department of Behavioral Health and Developmental Services to list providers included on a website of the Department's Office of Licensing by the assumed or fictitious name under which the provider is doing business in the Commonwealth.

**HB 2331 ELECTION LAWS; ATTORNEY GENERAL SHALL HAVE FULL AUTHORITY TO ENFORCE LAWS OR PROSECUTE VIOLATIONS.**

This bill gives the Attorney General the independent authority to enforce and prosecute violations of election laws in addition to the existing authority granted to the Attorney General pursuant to a unanimous vote of all members of the Board of Elections requesting the Attorney General to assist an attorney for the Commonwealth.

**HB 2334 SOLAR-POWERED OR WIND-POWERED ELECTRICITY GENERATION FACILITY; SCC TO CONDUCT PILOT PROGRAM, ETC.**

This bill directs the State Corporation Commission (SCC) to conduct a pilot program in a certain utility's service territory. Under the pilot program, a person that owns or operates a solar-powered or wind-powered electricity generation facility with a capacity between 50 kilowatts and one megawatt that is located on premises owned or leased by an eligible customer-generator will be allowed to sell the electricity generated from such facility exclusively to the eligible customer-generator under a power purchase agreement. The power purchase agreement will provide for third party financing of the costs of the renewable generation facility. The minimum size requirement does not apply to certain nonprofit entities. The SCC shall

establish guidelines concerning aspects of the pilot program by December 1, 2013. This bill is identical to SB 1023.

**HB 2338 CRIMINAL CONVICTION; APPEALS TO COURT OF APPEALS, ETC.,BASED ON ERRONEOUSLY ADMITTED EVIDENCE.**

This bill provides that when a criminal conviction is appealed based on a claim that the evidence to convict was insufficient because the trial court improperly admitted evidence, the reviewing court shall consider all evidence admitted at trial to determine whether there is sufficient evidence to sustain the conviction. If the reviewing court determines that evidence was erroneously admitted and that such error was not harmless, the case must be remanded for a new trial if the Commonwealth so elects.

**HB 2341 VOTER REGISTRATION; ELECTRONIC TRANSMISSION OF INFORMATION.**

This bill provides that a person who is qualified to register to vote may apply to register to vote by electronic means authorized by the State Board of Elections.

**HB 2343 PUBLIC SCHOOL SECURITY EQUIPMENT; ISSUANCE OF BONDS FOR PURPOSE OF GRANT PAYMENTS.**

This bill requires the Virginia Public School Authority to issue bonds for the funding of matching grants to local public school divisions for the purchase and installation of security equipment in public schools. The security equipment must be designed to improve and help ensure the safety of students attending public schools in Virginia. The Authority cannot issue more than \$6 million in bonds in any fiscal year of the Commonwealth, and no more than an aggregate principal amount of \$30 million in bonds may be outstanding at any time under the program. A local school division would be eligible to receive up to \$100,000 in security equipment grants each fiscal year. Local school divisions would apply to the Department of Education for the grants, which would be awarded on a competitive basis. The local school division would be required to match 25 percent of the grant amount. The Superintendent of Public Instruction would be authorized to reduce the required match for local school divisions with a

composite index of local ability-to-pay less than 0.2000. The provisions of the bill are made contingent upon funding in the general appropriation act.

**HB 2344 SCHOOL SAFETY; THREAT ASSESSMENT TEAMS, MODEL CRITICAL INCIDENT RESPONSE TRAINING PROGRAM, ETC.**

This bill requires local school boards to establish policies and procedures for the establishment of threat assessment teams. The bill requires the division superintendent to establish for each school a threat assessment team. The threat assessment teams shall (i) provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community; (ii) identify members of the school community to whom threatening behavior should be reported; and (iii) implement the policies adopted by the school board. The bill requires threat assessment teams to report to the division superintendent upon a preliminary determination that an individual poses a threat of violence to self or others.

**HB 2345 SCHOOL SAFETY, VA. CENTER FOR; DEVELOPMENT OF MODEL CRITICAL INCIDENT RESPONSE TRAINING PROGRAM.**

This bill requires the Virginia Center for School Safety, in conjunction with the Department of State Police, the Department of Behavioral Health and Developmental Services, and the Department of Education, to develop a model critical incident response training program for public school personnel and those providing services to schools. The bill also requires the Virginia Center for School Safety, in consultation with the Department of Education, to provide schools with a model policy for the establishment of threat assessment teams for each school, including procedures for the assessment of and intervention with individuals whose behavior poses a threat to the safety of school staff or students.

**HB 2346 LOCK-DOWN DRILLS; EVERY PUBLIC SCHOOL IS REQUIRED TO HAVE AT LEAST TWO PRACTICES PER YEAR, ETC.**

This bill requires each school, in its annual school safety audit, to

complete a school inspection walk-through using a standardized checklist provided by the Virginia Center for School Safety, which shall incorporate crime prevention through environmental design principles. Each completed walk-through checklist shall be made available to the chief law-enforcement officer of the locality or his designee upon request. The bill requires the local school board to provide copies of each school crisis, emergency management, and medical emergency response plan to the chief law-enforcement officer, the fire chief, the chief emergency medical services official, and the emergency management official of the locality upon request. The bill also requires the division superintendent to establish a school safety audit committee that will review the school safety audits, and requires each school division to designate an emergency manager. The bill finally requires each public school to conduct at least two lock-down drills: one in September and one in January of each school year.

**HB 2347 JUVENILE LAW-ENFORCEMENT RECORDS;  
PRINCIPAL MAY PROVIDE INFORMATION TO THREAT  
ASSESSMENT TEAM, ETC.**

This bill provides that, in addition to disclosures of juvenile law-enforcement records that may already be made by chiefs of police and sheriffs to school principals, those same records (involving violent crimes, arson crimes, and firearm crimes) may also be released by the principal of the school to threat assessment teams established by the local school division. The bill also allows law enforcement to share with private school principals the same law-enforcement records concerning juveniles that it can share with public school principals and allows private school principals to share information with threat assessment teams.

**HJ 551 CONSTITUTIONAL AMENDMENT; GENERAL  
ASSEMBLY MAY EXEMPT REAL PROPERTY OF SPOUSES  
OF SOLDIERS KILLED.**

This bill provides that the General Assembly may provide a real property tax exemption for the primary residence of surviving spouses of members of the military who are killed in action. Such tax exemption may not be claimed by a surviving spouse who has remarried.

