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Senate Bills

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SENATE BILLS

SB 688 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. HB 1961 is identical to this bill.

SB 690 PRESIDENTIAL ELECTIONS AND PRIMARIES; PETITION REQUIREMENTS.

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.

SB 698 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 HB 1320.

SB 699 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 incorporates SB 1255. The bill is identical to HB 1545

SB 703 CONCEALED HANDGUN PERMIT FEES; PROVIDES AN EXEMPTION FOR CERTAIN RETIRED CORRECTIONAL OFFICERS.

This bill provides an exemption for any retired correctional officer with at least 15 years of service from any fee charged for the issuance of a concealed handgun permit. The bill contains technical amendments.

SB 706 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. The bill incorporates SB 1258 and is identical to HB 1682.

SB 707 HEALTH CARE PROVIDERS; SUBMITTING HEALTH INSURANCE CLAIMS.

This bill requires any in-network provider that provides health care

services to a covered patient to submit its claim to the health insurer for the health care services in accordance with the terms of the applicable provider agreement. The requirement does not apply if the covered patient fails to provide information required by the terms of the plan documents. If an in-network provider does not submit its claim as required, then the covered patient is not obligated to pay for health care services for which the in-network provider was required to submit its claim, and the in-network provider shall not have the benefit of certain liens with regard to the health care services. In addition, such an in-network provider is prohibited from recovering payment from medical expense benefits provided under a motor vehicle liability insurance policy.

SB 709 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 HB 1473.

SB 715 MOTOR VEHICLE TITLES, ETC.; PROVIDES FOR TRANSFER TO DESIGNATED BENEFICIARY UPON DEATH OF OWNER.

This bill provides for the transfer of title to motor vehicles, trailers, and semitrailers to a designated beneficiary upon the death of the owner.

SB 718 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 HB 1723.

SB 720 TRANSIENT OCCUPANCY TAX; ADDS GRAYSON COUNTY TO LIST OF COUNTIES AUTHORIZED TO LEVY.

This bill adds Grayson County to the list of counties authorized to levy a transient occupancy tax not to exceed five percent. The bill makes technical revisions.

SB 729 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 HB 1635.

SB 744 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 HB 1589.

SB 750 NURSING HOMES, CERTIFIED NURSING FACILITIES, ETC.; NOTICE OF LIABILITY INSURANCE COVERAGE, ETC.

This bill provides that regulations of the Board of Health shall require nursing homes and certified nursing facilities to maintain liability insurance coverage in a minimum amount of \$1 million and professional liability coverage in an amount at least equal to the recovery limit set forth in § 8.01-581.15 to compensate patients or individuals for injuries and losses resulting from the negligent or criminal acts of the facility. The bill provides that failure to maintain such minimum insurance coverage shall result in revocation of the facility's license. The bill also provides that regulations of the Board of Social Services shall require that assisted living facilities disclose to any resident or prospective resident whether the assisted living facility maintains liability insurance in force to compensate residents for injuries and losses and that no facility shall state that liability insurance is in place unless such insurance provides a minimum amount of coverage established for purposes of disclosure by regulations of the Board of Social Services. The bill incorporates SB 869.

SB 753 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 HB 2091.

SB 754 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 HB 1392.

SB 756 PERPETUITIES WAIVER; EXCLUSIONS FROM STATUTORY RULE, NONDONATIVE TRANSFERS.

This bill corrects errors in the rule allowing a settlor of a trust with an interest in personal property to opt out of the Uniform Statutory Rule Against Perpetuities. The bill moves the opt-out provision from the Code section that applies to nondonative transfers to the section that lists other exceptions to the application of the Uniform Rule. The bill also specifies that the exception to the Uniform Rule shall not extend to an interest in real property, which does not include an interest in a corporation, limited liability company, partnership, business trust, or other entity, even if such entity owns an interest in real property. The bill further provides that the provisions of the bill are declarative of existing law.

SB 758 UNIFORM TRUST CODE; INTERESTED TRUSTEES SUBJECT TO ASCERTAINABLE STANDARD.

This bill expands the rule in the Uniform Trust Code that subjects an interested trustee to an ascertainable standard to include a person who is deemed to have any power of a trustee, whether because such person has the right to remove or replace any trustee or because a reciprocal trust or power doctrine applies.

SB 759 GUARDIANSHIP AND CONSERVATORSHIP; MAKES VARIOUS CHANGES TO LAWS.

This bill makes various changes to guardianship and conservatorship laws, including: (i) permitting another person to initiate a guardianship proceeding before an incapacitated child turns 18 if there is no living parent; (ii) requiring a petition to state the basis for the court's jurisdiction; (iii) requiring the court to hold a hearing on the appointment of a guardian or conservator within 120 days from filing; (iv) confirming that the court should consider the respondent's best interests when determining the need for a guardian or conservator; (v) granting a conservator the power to make elections for a family allowance, exempt property allowance, and homestead allowance; and (vi) granting a court the ability to authorize a

conservator, for good cause shown, to create and fund a trust for an incapacitated person.

SB 766 RETAIL SALES AND USE TAX; EXEMPTION INCLUDES HURRICANE PREPAREDNESS EQUIPMENT.

This bill adds gas-powered chain saws with a selling price of \$350 or less and chain saw accessories to the list of equipment eligible for the sales and use tax exemption for hurricane preparedness equipment.

SB 768 CHESAPEAKE BAY WATERSHED IMPLEMENTATION PLAN; DIRECTS STATE AGENCIES TO REMOVE LYNNHAVEN RIVER.

This bill directs state agencies to remove the Lynnhaven River watershed from inclusion in the James River Basin for purposes of the Chesapeake Bay Watershed Implementation Plan.

SB 769 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 HB 1686.

SB 770 DRIVER IMPROVEMENT CLINICS; INCREASES FEE THAT CLINICS MAY CHARGE FOR COURSES.

This bill increases the cap that clinics may charge for driver improvement courses from \$75 to \$100.

**SB 772 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 a 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 HB 1630.

**SB 773 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 HB 1499.

**SB 775 UNEMPLOYMENT COMPENSATION; NONCHARGING
OF OVERPAYMENTS, PENALTY FOR FRAUDULENT
CLAIMS.**

This bill provides that an employer shall not be relieved from a claimant's benefit charges relating to an overpayment of unemployment benefits when the employer has established a pattern of failing to respond timely or adequately to such requests. A similar requirement is established for reimbursable employing units. A pattern of failing to respond timely or adequately to such requests exists if an employer fails to respond adequately to a request for information four times in a four-year period. After the first three such failures, the Virginia Employment Commission (VEC) is required to give the employer a notice, and is required to assess a \$75 civil penalty for a third failure. The VEC is required to monitor the implementation of this provision and report its findings periodically to the Commission on Unemployment Compensation. The measure also provides that any person who is disqualified for unemployment benefits as a result of a fraudulent act or omission shall be assessed a penalty of 15 percent of the amount of any unemployment benefits received for which he was not entitled. Finally, the measure allows benefit overpayments and penalties to be recovered through offsets and eliminates the provision that makes individuals who have obtained benefits as the result of fraud ineligible for benefits until such benefits have been repaid. The enactment of a noncharging provision and a fraud penalty are required pursuant to the federal Trade Adjustment Assistance Extension Act of 2011. The measure is a recommendation of the Commission on Unemployment Compensation.

**SB 776 VIRGINIA NEW HIRE REPORTING CENTER;
EMPLOYER TO SUBMIT INFORMATION CONCERNING
NEWLY HIRED EMPLOYEE.**

This bill expands the obligations of employers to report information about the hiring of employees to the Virginia New Hire Reporting Center. Employers are required to submit information concerning each newly hired employee to the Center within 20 days of the employment of a newly hired employee. The measure defines a newly hired employee as an employee who has not previously been employed by the employer or who was previously employed by the employer but has been separated from such prior employment for at least 60 consecutive days. The enactment of the expanded definition of a newly hired employee is required pursuant to the federal Trade Adjustment Assistance Extension Act of 2011. The measure also clarifies the purposes for which the Division of Child Support Enforcement may use the information. This is a recommendation of the Commission on Unemployment Compensation.

SB 777 INSURANCE; NOTICE OF LAPSE IN COVERAGE FOR CERTAIN LIFE AND ACCIDENT AND SICKNESS POLICIES.

This bill restates a provision enacted in 1991 that was intended to provide that the requirement that insurers issuing certain life and accident and sickness insurance policies provide notice of lapse for failure to pay the premium does not apply to group policies, contracts, or plans. In addition, the requirement does not apply to individual policies, contracts, or plans if the insurer, health services plan, or health care plan either (i) as a general business practice provides its policy owners, contract owners, or plan owners with written notices of premiums due or (ii) has furnished its policy owner, contract owner, or plan owner with written notice separate from that contained in the policy that the failure to pay premiums in a timely manner will result in a lapse of such policy, contract, or plan. The measure is declarative of existing law.

SB 778 STATE CORPORATION COMMISSION; PRO BONO LEGAL SERVICES.

This bill authorizes members of the State Corporation Commission and its subordinates and employees having a license or certificate to practice law to engage in the private practice of law on a pro bono public basis with the Commission's approval. Currently, all private practice of law by such persons is prohibited.

SB 779 LIMITED LIABILITY COMPANIES; ASSIGNMENT OF INTEREST.

This bill amends the Virginia Limited Liability Company Act to provide that an assignment of an interest in a limited liability company does not entitle the assignee to participate in the management and affairs of the limited liability company or to become or to exercise any rights of a member, except as provided in subsection A of § 13.1-1040. The measure overturns the Virginia Supreme Court's finding in *Ott v. Monroe* that current law precludes such rights being transferred to an assignee.

SB 780 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. The bill is identical to HB 1784.

SB 788 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. HB 1698 is identical to this bill.

SB 790 EMERGENCY MEDICAL SERVICES PROVIDERS; BOARD OF HEALTH SHALL PRESCRIBE REGULATION, PROCEDURES, ETC.

This bill 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 HB 1622.

SB 794 DISABLED PARKING PLACARDS; PHYSICIANS MAY ISSUE TO PATIENTS.

This bill allows licensed physicians, nurse practitioners, physician

assistants, podiatrists, or chiropractors to certify 15 days in advance of a medical procedure that an applicant will have a temporary disability that limits or impairs his ability to walk. DMV will mail the temporary placard to the applicant.

SB 798 SERVICE DISTRICTS; ANY LOCALITY MAY AMEND BOUNDARIES OF AN ESTABLISHED DISTRICT, ETC.

This bill allows localities to modify the boundaries of service districts. Any such modification requires public notice and a majority vote of the governing body of each affected locality.

SB 799 REAL PROPERTY TAX; SPECIAL VALUATION FOR LAND PRESERVATION.

This bill permits Goochland County to adopt certain variations in administering the special valuation of real property for land preservation for real property in service districts created after July 1, 2013.

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real property in service districts created after July 1, 2013.

SB 802 ELECTORAL BOARDS; MEETINGS.

This bill provides that a telephone call between two members of an electoral board or a telephone call between two members of the State Board of Elections in preparation for a meeting shall not constitute a meeting for Virginia Freedom of Information Act purposes if the discussion otherwise would not constitute a meeting.

SB 804 VOLUNTARY BOUNDARY AGREEMENT BETWEEN LOCALITIES; ATTACHMENT OF GIS MAP TO PETITIONS.

This bill allows Louisa and Goochland Counties, in adopting a voluntary boundary agreement, to attach to their petitions to the circuit court a Geographic Information System (GIS) map depicting the boundary change. The section formerly restricted the type of attachment to either a plat or a metes and bounds description.

SB 807 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 Hb 1564.

SB 811 FALSE LIEN OR ENCUMBRANCE; FILING AGAINST REAL OR PERSONAL PROPERTY OF ANOTHER, PENALTY.

This bill provides that any person who maliciously files a fraudulent lien

or encumbrance in a public record against the real or personal property of another, knowing that such lien or encumbrance is false, is guilty of a Class 5 felony. The bill incorporates SB 1113.

SB 818 PRISONERS; ESTABLISH COMPACT FOR CONTROL OF THOSE RECEIVING EMERGENCY MEDICAL CARE OUTSIDE OF VA.

This bill establishes a compact with other states for control of prisoners receiving medical and other care outside of Virginia.

SB 819 TOURIST TRAIN DEVELOPMENT AUTHORITY; CREATED.

This bill reinstates the Authority and its board, repealed by the General Assembly in 2011, which will consist of representatives from the governing bodies of Tazewell County, the Town of Bluefield, and the Town of Pocahontas; four citizen members from Tazewell County; and two legislators. The Authority's powers are similar to those that other authorities possess. The Authority may also cooperate with any private or governmental entity in the state of West Virginia in the development of a tourist train.

SB 820 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.

SB 828 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 HB 1562.

SB 829 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 HB 1906.

SB 832 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 HB 2269.

SB 833 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 HB 1964.

SB 837 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 HB 1387.

SB 839 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, determining territorial jurisdiction in criminal cases, and clarifying issues related to coverage under workers' compensation and risk management laws. This bill incorporates SB 1314.

SB 841 UNIFORM STATEWIDE BUILDING CODE; ESTABLISHMENT OF OCCUPANCY STANDARDS FOR RESIDENTIAL DWELLING UNIT.

This bill authorizes an owner or managing agent of a residential dwelling unit to develop and implement reasonable occupancy standards restricting the maximum number of occupants permitted to occupy the dwelling unit to two persons per bedroom. Under the bill, the occupancy standard is subject to the provisions of applicable state and federal laws and regulations. The bill also provides that the occupancy standards of an owner or managing agent shall not be enforceable under the provisions of the Uniform Statewide Building Code.

SB 842 CHARTER; CITY OF HAMPTON.

This bill updates provisions related to the initial meeting of council and the election of the school board. HB 1493 is identical to this bill.

SB 846 COMMUNITY COLLEGES; CERTAIN COLLEGES TO DEVELOP POLICIES TO INCREASE DUAL ENROLLMENT.

This bill requires Danville Community College, Patrick Henry Community College, Southside Virginia Community College, Virginia Western Community College, and Wytheville Community College, under the terms of their existing dual enrollment agreements, to develop policies to encourage greater dual enrollment in career and technical education courses when such courses are not at full capacity.

SB 847 ARRESTEES; JUDICIAL OFFICER MAY REQUIRE AS CONDITION OF RELEASE ON BAIL FINGERPRINTS AND PHOTOS.

This bill provides that a judicial officer may require as a condition of release on bail that the accused accompany the arresting officer to the jurisdiction's fingerprinting facility to have his photograph and fingerprints taken prior to his release. The bill also provides that the fingerprints and photograph may be taken wherever the magistrate is located, including at a regional jail, even though the accused is not committed to jail.

SB 849 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 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 HB 1449.

SB 850 LOW-INCOME AND DISABLED CUSTOMERS; CRITERIA FOR DISCOUNTED FEES AND CHARGES FOR WATER AND SEWER.

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 HB 1648.

SB 851 TRANSIENT OCCUPANCY TAX; REINSTATES AUTHORITY OF ARLINGTON COUNTY TO IMPOSE ADDITIONAL TAX, ETC.

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 HB 2303.

SB 853 ASSAULT AND BATTERY; ADDS MAGISTRATES WITHIN ENHANCED PENALTY PROVISION.

This bill elevates the punishment for committing an assault and battery against a magistrate who is engaged in the performance of his public duties from a Class 1 misdemeanor to a Class 6 felony, with a six-month mandatory minimum term of confinement. The bill incorporates SB 966.

SB 854 VIRGINIA RETIREMENT SYSTEM; BENEFITS FOR CERTAIN LOCAL EMPLOYEES.

This bill allows that a political subdivision may by resolution irrevocably declare that persons employed as firefighters, emergency medical technicians, or law-enforcement officers shall be considered to have 60 months of creditable service as of January 1, 2013, for purposes of the Virginia Retirement System. Current law allows political subdivisions to declare that such employees are not considered persons who became members on or after July 1, 2010, for purposes of the Virginia Retirement System. The bill also declares that if the political subdivision adopts such a resolution, those employees shall not be eligible to participate in the new hybrid retirement program.

SB 857 HIGHER ED. INSTITUTIONS; EXPANDS ELIGIBILITY FOR IN-STATE TUITION TO CERTAIN DEPENDENTS OF MILITARY.

This bill expands eligibility for in-state tuition to certain dependents of active duty military personnel, or activated or temporarily mobilized reservists or guard members, who are either (i) assigned unaccompanied orders and immediately prior to receiving such unaccompanied orders were assigned to a permanent duty station or workplace geographically located in Virginia, or in a state contiguous to Virginia or the District of Columbia, and resided in Virginia or (ii) assigned unaccompanied orders with Virginia listed as the designated place move.

SB 863 INDEPENDENT LIVING SERVICES; FOSTER CHILDREN COMMITTED TO DEPARTMENT OF JUVENILE JUSTICE.

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.

SB 870 CONTEMPT APPEAL; ALLOWS CIRCUIT JUDGE TO SIT WITHOUT A JURY TO HEAR FROM JUDGMENT OF DISTRICT COURT.

This bill provides that a circuit judge shall, sitting without a jury, hear an appeal from a summary contempt judgment of the district court.

SB 881 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. The bill is identical to HB 2301.

SB 882 CITY REVERSION; LIBRARY AID.

This bill removes the 15-year time limit during which the Commonwealth shall continue library aid to a library system that existed prior to a city reversion the same as if no city reversion had occurred.

SB 885 INOPERABLE MOTOR VEHICLES; ADDS ALBEMARLE COUNTY TO THOSE LOCALITIES THAT MAY PROHIBIT FROM KEEPING.

This bill adds Albemarle County to those localities that may prohibit any person from keeping, except within a fully enclosed building or structure or otherwise shielded or screened from view, on any property zoned or used for residential purposes, or on any property zoned for commercial or agricultural purposes, certain inoperable motor vehicles.

SB 886 AFFORDABLE HOUSING; SUBSTITUTES SOUTH URBAN REGION FOR CHARLOTTESVILLE MSA.

This bill amends Chapter 693 of the Acts of Assembly of 2008, which authorized the City of Charlottesville to require developers to either provide Affordable Dwelling Units or make a contribution to the city's affordable housing fund in connection with certain projects. The bill substitutes the south urban region for the Charlottesville MSA specified in the 2008 Act regarding the Consumer Price Index (CPI). The Bureau of Labor Statistics does not publish a CPI for the Charlottesville MSA.

SB 887 FARM USE VEHICLES; INCREASES DISTANCE VEHICLES USED FOR MAY TRAVEL.

This bill increases the distance that farm use vehicles used for

agricultural and horticultural purposes and the seasonal transportation of produce and livestock may travel on the highways from 30 to 50 miles. This bill also makes technical amendments.

SB 888 ADVERTISING; PAYMENT OF PENALTIES & COSTS ASSOCIATED WITH ENFORCEMENT OF PROHIBITION ON CERTAIN.

This bill provides that penalties and costs collected as the result of an agreement between the Commissioner of Highways and a locality to enforce the prohibition on advertising within highway rights-of-way may be paid to the locality as provided in an agreement between the locality and VDOT.

SB 890 LIBRARIES; TOWN OF LEESBURG MAY BY ORDINANCE ESTABLISH AN ENDOWMENT FUND FOR PURPOSE OF SUPPORTING.

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 HB 1558.

SB 891 ADMINISTRATIVE RULES, JOINT COMMISSION ON; POWERS AND DUTIES.

This bill expands the powers and duties of the Joint Commission on Administrative Rules to include review of proposed rules and regulations to ensure that they contain no mandate that improperly burdens businesses.

SB 892 COMMERCIAL FISHERMEN; NOT REQUIRED TO OBTAIN REGISTRATION CERTIFICATE, ETC., FOR CERTAIN VEHICLES.

This bill provides that a commercial fisherman may transport boats or other equipment or harvested seafood up to 50 miles without having the vehicle registered. Currently the exemption applies only if the distance is no more than 30 miles.

SB 893 PUBLIC SCHOOLS; POSSESSION & ADMINISTRATION OF EPINEPHRINE BY EMPLOYEES OF LOCAL GOVERNING BODIES.

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 HB 1468.

SB 894 UNIFORM STATEWIDE BUILDING CODE; WHO MAY BE CITED FOR VIOLATIONS.

Clarifies that a local enforcement officer may issue a summons or a ticket to the lessor or sublessor of a residential dwelling unit for violation of any Building Code provision, provided a copy of the notice is also served on the owner of the property.

SB 896 WORKERS' COMPENSATION; WEATHER AS RISK OF PUBLIC SAFETY OFFICER'S EMPLOYMENT, INJURIES INCURRED.

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.

SB 897 SPOTSYLVANIA CONFEDERATE CEMETERY; INCREASES NUMBER OF CONFEDERATE GRAVES MAINTAINED.

Increases the number of Confederate graves maintained by the Ladies Confederate Memorial Association in Spotsylvania County from 300 to 749.

SB 898 PRACTITIONERS; BOARD OF MEDICINE TO REVOKE LICENSE OF CERTAIN (TWOMEY BILL).

Provides that a practitioner whose license has been revoked due to engaging in sexual contact with a patient under certain circumstances may not apply for reinstatement of such license until finalized.

SB 899 SCHOOL BUSES; LOCAL SCHOOL BOARDS MAY DISPLAY CERTAIN DECALS ON REAR OR SIDES OF BUSES.

Authorizes local school divisions to place decals on the rear of school buses noting that the buses stop at railroad crossings.

SB 902 VIRGINIA PUBLIC PROCUREMENT ACT; ALTERNATIVE FORMS OF SECURITY, ACCEPTANCE OF CASHIER'S CHECK.

Authorizes the acceptance of a cashier's check in lieu of a bid, payment, or performance bond. Currently the only acceptable alternative forms of security are a certified check or cash escrow.

SB 903 NONSUITS; DISMISSAL OF ACTION, FEES AND COSTS.

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. This bill is identical to

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HB 1709.

SB 904 MOTORCYCLE TITLING; PURCHASE OF NEW MOTORCYCLES FOR PARTS.

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 HB 1475.

SB 905 CREDIT UNIONS, FEDERAL; THOSE OPERATING WITHIN STATE TO COMPLY WITH VIRGINIA SMALL ESTATE ACT.

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 HB 1351.

SB 908 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 HB 1642.

SB 909 STATE PARK MASTER PLANNING; DEPARTMENT OF CONSERVATION & RECREATION SHALL SOLICIT COMMENTS, ETC.

This bill requires the Department of Conservation and Recreation, in considering public comments on stage one and stage two master plans, to make a reasonable effort to solicit comments and to provide timely notice of the comment period to trade associations and private businesses within a

10-mile radius of the park that offer similar services, including private campgrounds, marinas, and recreational facilities.

SB 912 WILLIAM AND MARY, COLLEGE OF; MANAGEMENT AGREEMENT BETWEEN STATE.

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 HB 2249.

SB 913 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 HB 1752.

SB 916 EXHUMATIONS; REQUIRES THAT PARTY PETITIONING COURT TO PROVIDE SWORN STATEMENT WITH CERTAIN FACTS.

This bill requires that a party petitioning a court to order the exhumation of the body of any dead person provide a sworn statement that sets forth facts establishing a reasonable possibility of a biological relationship between the petitioner and his alleged ancestors.

SB 917 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 HB 1573.

SB 918 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 HB 2100.

SB 920 EMERGENCY CUSTODY AND INVOLUNTARY TEMPORARY DETENTION; TRANSPORTATION.

This bill requires magistrates to consider a request to authorize alternative transportation, if available, for persons subject to an emergency custody or involuntary temporary detention order if the order is based upon a finding that the person who is the subject of the order has a mental illness and that there exists a substantial likelihood that, as a result of mental illness, the person will, in the near future, suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs but there is no substantial likelihood that the person will cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information.

SB 921 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 is effective January 1, 2014. This bill is identical to HB 1900.

SB 922 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.

SB 923 OPEN EDUCATION CURRICULUM BOARD; REPEALS BOARD.

This bill abolishes the Open Education Curriculum Board.

SB 930 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.

SB 931 DEAD BODIES; NOTIFICATION FOR DISPOSITION TO NEXT OF KIN TO CLAIM BODY WITHIN 30 DAYS OF NOTICE.

This bill provides that in cases in which the next of kin of a deceased person fails or refuses to claim the body of the deceased person within 30 days, the sheriff or other person having initial custody of the dead body may dispose of the body, and provides that, absent bad faith or malicious intent, a sheriff who accepts a dead body for disposition shall be immune

from civil liability.

SB 932 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. The bill is identical to HB 2059.

SB 933 MOVABLE SOCCER GOAL SAFETY ACT; CREATED, REPORT.

This bill requires every organization that owns and controls a movable soccer goal to establish a soccer goal safety and education policy that outlines how the organization will address any safety concern related to movable soccer goals, including the dangers of unanchored or improperly anchored soccer goals tipping over and the care that must be taken to ensure proper installation, setup, maintenance, and transportation of movable soccer goals; prohibits the sale of movable soccer goals that are not tip-resistant beginning July 1, 2014; and requires the Department of Conservation and Recreation and the Division of State Parks to convene a work group to examine safety issues related to moveable soccer goals. This bill contains a reenactment clause.

SB 936 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 HB 1388.

SB 938 MULTIJURISDICTION GRAND JURY; ADDITIONAL CRIMINAL VIOLATIONS THAT MAY INVESTIGATE.

This bill adds to the criminal violations that a multijurisdiction grand jury may investigate the following: crimes by mobs, malicious felonious assault and malicious bodily woundings, robbery, carjacking, felonious sexual assault, certain arsons, and RICO crimes. The bill also adds a provision that, in order for the grand jury to report a matter for prosecution, a court reporter must have transcribed oral testimony as required by law.

SB 942 CERTIFICATE OF PUBLIC NEED; AMENDMENTS TO EXISTING CERTIFICATES RELATED TO MEDICAL CARE.

This bill provides that the Commissioner of Health may accept and approve requests for amendments to certain conditions of existing certificates of public need. The bill also requires the Department of Health, in consultation with the Virginia Department of Veterans Services, Virginia Health Information Exchange, Virginia Hospital and Healthcare Association, and other industry stakeholders, to review the provisions of § 32.1-102.4 as amended by this act and the Patient Protection and Affordable Care Act, P.L. 111-148, as both relate to the Commissioner's imposition of conditions on certificates of public need.

SB 943 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 HB 1877.

SB 944 ADMINISTRATIVE PROCESS ACT; ISSUES ON REVIEW, DUTY OF COURT.

This bill provides that when a final decision of an agency is appealed

under the Administrative Process Act and the decision on review is to be made based on the agency record established from a formal hearing, the duty of the court with respect to issues of fact is to determine whether there was substantial evidence in the record to support the agency decision. In addition, the bill provides that the court shall enter judgment suspending or setting it aside and remanding it to the agency for further proceedings, if any.

SB 946 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 HB 1531.

SB 948 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 HB 1830.

SB 950 PRACTITIONERS OF MEDICINE, ETC.; UPDATES TERMINOLOGY IN SECTIONS GOVERNING LICENSURE, ETC.

This bill updates terminology in sections governing licensure of practitioners of the healing arts, provides for use of electronic communication, expands the list of acceptable accrediting organizations for educational programs for podiatric medicine, and eliminates the Psychiatric Advisory Board.

SB 953 AGING AND REHABILITATIVE SERVICES, DEPARTMENT FOR; SERVICE FOR INDIVIDUALS WITH ALZHEIMER'S DISEASE.

This bill expands the duties of the Department for Aging and Rehabilitative Services related to services for individuals with Alzheimer's disease and related disorders and their caregivers.

SB 956 INVESTOR-OWNED ELECTRIC UTILITIES; DECLINING BLOCK RATE FOR RESIDENTIAL CUSTOMERS.

This bill requires any investor-owned electric utility that uses declining block rates for residential customers during winter months to assess the appropriateness of such rates in integrated resource plans filed with the State Corporation Commission.

SB 957 ELECTORAL BOARDS; MEETINGS.

This bill provides that electoral boards need to meet the first week of February only in the year in which terms of officers of election expire and new officers must be appointed. Electoral boards are currently required to meet during the first week of February each year.

SB 958 VOTER REGISTRATION; FINAL DAY OF REGISTRATION AND MAIL REGISTRATION APPLICATION.

This bill provides that the principal office of the registrar shall close for registration purposes at 5:00 p.m. on the final day for registration before an election. The same deadline shall apply to receiving mail registration, other than applications returned through the United States Postal Service.

SB 959 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 HB 2217.

SB 960 PUBLIC SCHOOLS; RESIDENCY OF CHILDREN IN KINSHIP CARE.

This bill allows a child receiving kinship care from an adult relative to enroll in the school division where the kinship care provider resides. The bill also allows local school divisions to require one legal parent and the kinship care provider to sign affidavits detailing the kinship care arrangement as well as a power of attorney authorizing the adult relative to make educational decisions regarding the child. The provisions of this bill will sunset on June 30, 2016.

SB 963 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 HB 2158.

SB 967 ABSENTEE BALLOT; PERSONS APPLYING TO PROVIDE REASON CANNOT VOTE AT POLLING PLACE, ETC.

This bill eliminates certain additional information that a person applying for an absentee ballot must submit regarding the reason the applicant will be absent or cannot vote at his polling place on the day of the election, including (i) in the case of a person, or the spouse or dependent of a person, who is on active duty in the military, the person's or his spouse's rank,

grade, or rate, and service identification number; (ii) in the case of a student, the address of his school; (iii) in the case of a person with a disability or who is ill or pregnant, the nature of the disability, illness, or pregnancy; (iv) in the case of a person confined awaiting trial, the address of the institution of confinement; (v) in the case of a person caring for an ill or disabled family member, the name of the ill or disabled family member and the nature of the disability or illness; (vi) in the case of a person with a religious obligation, his religion; (vii) in the case of a person who will be at work for 11 or more hours when the polls are open, the address of his place of work; and (viii) in the case of a person designated as a poll watcher, the name of the party chairman or candidate who designated him.

SB 969 LEWD AND LASCIVIOUS COHABITATION; ELIMINATES CRIME.

This bill eliminates by repeal the crime of lewd and lascivious cohabitation by unmarried persons and the crime of open and gross lewdness and lasciviousness.

SB 974 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 HB 2130.

SB 977 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 HB 1692.

SB 979 GENERAL DISTRICT COURT; RETENTION OF CASE RECORDS.

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. The bill incorporates SB 1202. The bill is identical to HB 1451.

SB 980 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 HB 1670.

SB 982 MEDICAL REPORTS OR RECORDS; METHOD FOR INTRODUCING INTO EVIDENCE IN GENERAL DISTRICT COURT.

This bill rewrites for clarity the section setting forth 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. The bill also provides that medical bills may be introduced into evidence in the same manner as medical records. The bill further provides that medical records and bills are subject to the same requirement as medical reports that the party intending to present such records and bills as evidence give notice of such intention to the opposing party 10 days before trial. This bill is a recommendation of the Boyd-Graves Conference.

SB 983 EXPERT WITNESSES; LITERATURE DESIGNATIONS.

This bill provides that a statement contained in published treatises, periodicals, or pamphlets previously designated as literature to be introduced during direct examination through an expert witness need not have been relied on by the expert at the time he formed his opinion in order for the statement to be read into evidence at trial. This bill is a recommendation of the Boyd-Graves Conference.

SB 984 SETTLEMENT PAYMENT; NOTIFICATION BY INSURER REQUIRED.

This bill requires an insurer that has made a payment of at least \$5,000 in a single check to an attorney or other representative of a claimant or judgment creditor, in settlement or satisfaction by an insured or a third party of any claim arising out of an insurance policy issued or delivered in the Commonwealth, to notify the claimant or judgment creditor of such payment within five days after making payment.

SB 985 G. RICHARD THOMPSON WILDLIFE MANAGEMENT AREA; CONVEYANCE OF CERTAIN LAND TO WARREN COUNTY.

This bill authorizes the Board of Game and Inland Fisheries to convey to Warren County two parcels of land located in the G. Richard Thompson Wildlife Management Area. The two parcels are located on Route 638 and measure 3.19 acres in total area.

SB 986 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. This bill is identical to HB 2028.

**SB 987 VIRGINIA WAR MEMORIAL SHRINE OF MEMORY;
MEMORIALIZATION OF FALLEN VIRGINIANS BY
INCLUSION OF NAMES.**

This bill establishes the criteria, as was required by legislation adopted in 2009, for inclusion on the Shrine of Memory at the Virginia War Memorial of Virginians who died while serving in the United States armed forces.

**SB 988 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 HB 2237.

**SB 992 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 HB 1439.

**SB 994 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 HB 1803.

SB 995 VRS; TECHNICAL CHANGES REGARDING RETIREMENT PLANS.

This bill makes technical changes to carry out provisions enacted by the General Assembly in 2012 regarding retirement plans administered by the Virginia Retirement System.

SB 997 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 HB 2122.

SB 1004 LANDLORD AND TENANT LAWS; EARLY TERMINATION OF RENTAL AGREEMENTS BY VICTIMS OF FAMILY ABUSE, ETC.

This bill provides that a tenant who is a victim of (i) family abuse, (ii) sexual abuse, or (iii) criminal sexual assault may terminate a rental agreement under certain circumstances. The bill details the instance under

which termination may be sought and the process that must be followed by the tenant to effect the termination.

SB 1006 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 HB 2120.

SB 1008 VOTER REGISTRATION; REGISTRATION ACTIVITIES BY THIRD PARTIES.

This bill requires individuals and groups conducting voter registration drives, when obtaining 25 or more voter registration applications from the State Board of Elections or local offices, to register with the State Board or local offices, provide information as required by the State Board, receive training, and execute a sworn affidavit that they will abide by all Virginia voter registration laws and rules. The bill also prohibits pre-populating registration applications with information unless directed by the applicant to do so. Finally, the bill reduces the time limit for mailing or delivering such completed applications from 15 to 10 days.

SB 1009 NEIGHBORHOOD ASSISTANCE ACT; CERTAIN REQUIREMENTS NEIGHBORHOOD ORGANIZATION MUST MEET, ETC.

This bill makes several changes to the requirements that a neighborhood organization must meet in order for a proposal to be approved under the Neighborhood Assistance Act tax credit program. In order to be approved for an allocation of credits from the Department of Education, an organization must have been in existence for at least one year, and at least

50 percent of its revenues must be used to provide services to low-income persons or eligible persons with disabilities. In order to be approved for an allocation of credits from either the Department of Education or the State Board of Social Services, a neighborhood organization and any of its affiliates must meet the requirements set forth in the applicable guidelines or regulations. The bill also clarifies the requirements for a neighborhood organization to submit an annual audit, review, or compilation.

SB 1010 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 HB 1684.

SB 1011 CLINICAL SOCIAL WORKERS; EDUCATIONAL REQUIREMENTS FOR LICENSURE.

This bill requires the Board of Social Work to accept proof of the successful completion of the following as evidence of the satisfaction of the educational requirements for licensure as a clinical social worker: (i) a master's degree in social work with a clinical course of study from a program accredited by the Council on Social Work Education, (ii) a master's degree in social work with a non-clinical concentration from a program accredited by the Council on Social Work Education together with successful completion of the educational requirements for a clinical course of study through a graduate program accredited by the Council on Social Work Education, or (iii) a program of education and training in social work at an educational institution outside the United States recognized by the Council on Social Work Education.

SB 1013 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. This bill is identical to HB 1749.

SB 1014 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 HB 2111.

SB 1015 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 HB 1606.

SB 1016 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 HB 1643.

SB 1017 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 HB 1783.

SB 1018 UNSTAMPED 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; under current law, the threshold is 3,000 or more packages. 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.

SB 1019 COUNTERFEIT CIGARETTES; PENALTIES.

This bill provides that any person who knowingly distributes or possesses with the intent to distribute counterfeit cigarettes where the amount is fewer than 10 cartons is guilty of a Class 1 misdemeanor for a first offense and a Class 6 felony for a second or subsequent offense. If the amount is 10 or more cartons, the offense is a Class 6 felony.

SB 1020 RICO; CONTRABAND CIGARETTES, PENALTIES.

This bill adds possession with intent to distribute tax-paid contraband cigarettes as a qualifying offense under the Virginia Racketeer Influenced and Corrupt Organization Act.

SB 1021 CIGARETTE AND OTHER TOBACCO PRODUCTS TAXES; ELECTRONIC TRANSACTIONS.

This bill authorizes (i) the Attorney General and the Department of Taxation to accept electronic filing of reports by stamping agents and manufacturers and (ii) the Department of Taxation to allow electronic purchase of cigarette tax stamps.

SB 1022 CONTRABAND CIGARETTES; ALLOWS FORFEITURE IF POSSESSED IN VIOLATION OF LAWS REGARDING SALE.

This bill allows forfeiture of cigarettes possessed in violation of laws regarding the sale, purchase, transport, receipt, or possession of unstamped cigarettes and the possession with intent to distribute of certain amounts of tax-paid cigarettes if the violation is knowing and intentional.

SB 1023 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 HB 2334.

SB 1024 ADMINISTRATIVE PROCESS ACT; EXEMPTION FOR DEPARTMENT OF CRIMINAL JUSTICE SERVICES.

This bill provides an exemption from the Administrative Process Act for the Department of Criminal Justice Services whenever the Department develops, issues, or revises any training standards approved by the Criminal Justice Services Board.

SB 1026 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 HB 2121.

SB 1027 VOTING; HANDLING OF OVERVOTED BALLOTS, COUNTING DEVICE TO RECEIVE AND COUNT CERTAIN BALLOTS.

This bill provides, in the case of ballots that are inserted into an electronic counting device, that if a ballot is found to have voted for a greater number of names for one office than the number of persons required to fill the office, the ballot shall be considered void only for that office and the votes for other offices on the ballot are to be counted. In the case of an electronic counting device, an election official is authorized to cause the device to receive the ballot. Paper ballots already are handled in this manner.

SB 1028 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 HB 1795.

SB 1029 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 HB 1853.

SB 1031 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 HB 1745.

SB 1032 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 HB 1862.

SB 1033 JUVENILE AND ADULT FACILITIES; PUNISHMENT FOR CERTAIN OFFENSES COMMITTED WITHIN FACILITIES, 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. Assault of persons directly involved in the care, treatment, or supervision of persons in the custody of or under the supervision of the Department of Juvenile Justice and employees or other individuals who provide control, care, or treatment of sexually violent predators committed to the custody of the Department of Behavioral Health and Developmental Services who are engaged in the performance of public duties will also be subject to the enhanced penalty provision of the assault and battery statute.

SB 1034 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 HB 2104.

SB 1035 UNEMPLOYMENT COMPENSATION; COLLECTION OF OVERPAYMENTS.

This bill provides that any person who has received an overpayment of unemployment benefits under a federal program or a program of any other state is liable to the Virginia Employment Commission for the overpayment. Currently, liability for benefit overpayments extends only to benefits under Title 60.2. The measure also provides that the procedure for collecting overpayments resulting from administrative error does not apply if the overpayment involves benefits under a federal program or a program of any other state. The requirement that the state collect overpayments made under unemployment compensation programs of other states and the federal government is established by § 2103 of the Middle Class Tax Relief and Job Creation Act of 2012. The measure has an emergency clause that provides that it shall apply to weeks beginning after the end of the 2013 regular legislative session. This is a recommendation of the Commission on Unemployment Compensation.

SB 1038 NON-CONVENTIONAL VEHICLES; TITLING AND REGISTRATION OF MOPEDS.

This bill provides for the titling and registration of mopeds and distinctive license plates for low-speed vehicles. The bill also requires a moped operator to carry government-issued photo identification and wear a face shield, safety glasses, or goggles if his moped is not equipped with safety glass or a windshield. The bill also makes all-terrain vehicles, off-road motorcycles, and mopeds subject to the motor vehicle sales and use tax, if the owner does not show that they already paid the retail sales and use tax. The bill further classifies mopeds for valuation purposes in personal property taxation and allows localities to exempt mopeds from

personal property taxation. The bill also replaces the term "scooter" with "foot-scooter" and makes other largely technical changes based upon recommendations made by DMV after a year-long study of Virginia's laws relating to non-conventional vehicles. The bill incorporates SB 1067.

SB 1039 VITAL RECORDS; DMV AUTHORIZED TO ACCESS RECORDS AND ISSUE CERTIFIED COPIES, FEES, PENALTY.

This bill directs the Commissioner of the Department of Health and the Commissioner of the Department of Motor Vehicles to enter into a memorandum of understanding to develop a program to allow DMV to issue certified copies of vital records. Beginning July 1, 2014, DMV is authorized to issue certified copies of birth records from 1912 onward and beginning July 1, 2015, DMV is authorized to issue certified copies of all other birth records and all death, marriage, and divorce records. The bill further provides that DMV is subject to the State Registrar's rules, regulations, audit requirements, and penalties and that vital records must be on security paper. The bill also raises the cap on the fee for certified copies and provides that DMV will keep a processing fee.

SB 1040 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. HB 1755 is identical to this bill.

SB 1041 BEDFORD, CITY OF, REVERSION; TAXATION OF REAL PROPERTY IN TOWN OF BEDFORD AND CITY OF BEDFORD.

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. HB 1756 is identical to this bill.

SB 1042 BEDFORD, CITY OF, REVERSION; SPECIAL ELECTION FOR CERTAIN COUNCIL MEMBERS, CENSUS TO BE COMPLETED.

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 HB 1813.

SB 1043 ADMINISTRATIVE PROCESS ACT; EMERGENCY REGULATIONS.

This bill extends the initial effective period of emergency regulations from 12 months to 18 months and adds a requirement that the current authority of the Governor to extend the effective period for up to an additional six months must be exercised by him before the initial 18-month period expires. The bill also makes technical amendments. The bill is a recommendation of the Virginia Code Commission.

SB 1045 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 HB 1569.

SB 1046 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 HB 1837.

SB 1047 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 HB 1561.

SB 1048 CONSERVATORS OF THE PEACE, SPECIAL; ANY STATE MUSEUM 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 HB 2058.

SB 1049 CANDIDATES; PETITION SIGNATURES, QUALIFICATION TO HAVE NAME APPEAR ON BALLOT.

This bill provides that the signatures of qualified voters who have been assigned inactive status shall be deemed valid for purposes of candidate petitions. The bill also requires the State Board of Elections to develop standards and procedures for determining whether petition signatures are valid and an appeal procedure from a determination by the electoral board or the State Board that the number of valid signatures is insufficient.

SB 1050 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 HB 1453.

SB 1051 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 HB 1632.

SB 1052 WILLS, TRUSTS, AND FIDUCIARIES; REVISES AND RECODIFIES LAWS. EMERGENCY.

This bill reinserts language that was inadvertently omitted from Chapter 614 of the Acts of Assembly of 2012, which created Title 64.2. The bill contains an emergency clause and provides that it is effective retroactively to the date Title 64.2 took effect. This bill is a recommendation of the Virginia Code Commission.

SB 1053 BOATING SAFETY EDUCATION; EXEMPTS CERTAIN U.S. NAVY SURFACE WARFARE OFFICERS, ETC.

This bill exempts United States Navy qualified surface warfare officers or qualified enlisted surface warfare specialists from having to pass a boating safety education course in order to operate a motorboat.

**SB 1054 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 HB 2039.

**SB 1055 MEDICAL WASTE; REPEALS CERTAIN PROVISIONS
REGARDING DISPOSAL OF.**

This bill repeals certain provisions regarding the permitting of infectious waste incinerators by the State Air Pollution Control Board and the Waste Management Board. The repeal of these sections will eliminate outdated regulations, which have been superseded by federal air emission requirements. The Virginia Waste Management Board's regulations related to medical waste incinerators would remain in place under the Board's other existing authorities.

**SB 1056 MILITARY AFFAIRS, DEPARTMENT OF; PROVIDING
OF FLAG TO NEXT OF KIN.**

This bill adds the Virginia State Defense 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 HB 1638.

**SB 1059 DENTAL AND OPTOMETRIC SERVICES PLANS;
APPLICABILITY OF CERTAIN PROVISIONS.**

This bill provides that two existing provisions, relating to the payment of interest on accident and sickness claim proceeds and to the use of explanation of benefits forms, that apply to insurance companies will also apply to dental and optometric services plans. The provision relating to interest applies to claim payments made on or after January 1, 2014. Dental

and optometric service plans are not required to pay interest if the total interest is less than \$5.

SB 1064 VETERANS AFFAIRS AND HOMELAND SECURITY, SECRETARY OF; POWERS AND DUTIES.

This bill directs the Secretary of Veterans Affairs and Homeland Security to work with veterans services organizations and counterparts in other states to monitor and encourage the timely and accurate processing of veterans benefit requests by the U.S. Department of Veterans Affairs.

SB 1065 ARTS AND CULTURAL DISTRICTS, LOCAL; TAX INCENTIVES.

This bill permits a locality to include the reduction or rebate of real estate property taxes among the tax incentives it makes available in an arts and cultural district established by ordinance. Current law provides for reductions in three other types of taxes or fees as examples of permissible incentives. HB 1586 is identical to this bill.

SB 1066 UNIFORM COMMERCIAL CODE; FUNDS TRANSFERS.

This bill amends Article 4A of the Uniform Commercial Code to ensure that 4A continues to apply to remittance transfers that are not electronic fund transfers. Under current law, Article 4A of the Uniform Commercial Code, which is Title 4A in Virginia, applies to remittance transfers that are not electronic funds transfers under the federal Electronic Fund Transfer Act (EFTA). The Dodd-Frank Wall Street Reform and Consumer Protection Act amended EFTA to provide that EFTA will govern remittance transfers whether or not they are electronic, which means that when its provisions go into effect a fund transfer initiated by a remittance transfer would be outside of the coverage of 4A, even if the transfer is not an electronic fund transfer.

SB 1068 EASEMENTS; AUTHORIZES CONVEYANCE OF RIGHT-OF-WAY BETWEEN DEPT. OF FORESTRY & RATCLIFFE FOUNDATION.

This bill authorizes the conveyance of right-of-way easements between the Department of Forestry and the Ratcliffe Foundation. The easements will allow the Department better access to Channels State Forest and will allow the Foundation to access its other properties.

SB 1070 ALCOHOLIC BEVERAGE CONTROL; MIXED BEVERAGE LICENSES FOR CERTAIN PROPERTIES IN TOWN OF GLADE SPRING.

This bill authorizes the Alcoholic Beverage Control Board to grant a mixed beverage license, notwithstanding the outcome of the mixed beverage referendum, on property within the boundary of any town incorporated in 1875 located adjacent to the intersection of Interstate 81 and Route 91 (the Town of Glade Spring).

SB 1071 COMMUNITY INTEGRATION ADVISORY COMMISSION; EXTENDS SUNSET PROVISION TO JULY 1, 2016.

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 HB 1519.

SB 1074 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 HB 1617.

**SB 1075 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.

**SB 1076 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 HB 1637.

**SB 1077 REGISTERED VOTERS; CITIZENSHIP, SAVE
PROGRAM.**

This bill authorizes the State Board of Elections to apply to participate in the Systematic Alien Verification for Entitlements Program (SAVE Program) operated by the U.S. Citizenship and Immigration Services of the U.S. Department of Homeland Security. The SAVE Program enables access to immigration status and citizenship status information possessed by the U.S. Department of Homeland Security. If the application is approved, the State Board will utilize the SAVE Program for the purposes of verifying that voters listed in the Virginia Voter Registration System are United States citizens and shall promulgate rules and regulations governing the use of the immigration status and citizenship status information received from the SAVE Program. The bill also requires that when a person applying for a license, permit, or identification card from the Department of Motor Vehicles presents a document to prove legal presence other than citizenship, the Department shall record the applicant's document number

and provide this number on the monthly list of noncitizens submitted by the Department to the State Board.

**SB 1078 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 HB 2322.

**SB 1083 CANNABINOIDS, RESEARCH CHEMICALS,
SYNTHETIC; PENALTIES.**

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 incorporates SB 1318.

**SB 1089 HEALTH INSURANCE; PROGRAM FOR LOCAL
GOVERNMENT EMPLOYEES AND OTHER POLITICAL
SUBDIVISIONS OF STATE.**

This bill removes the authority of centers for independent living and area agencies on aging to join the Local Choice Plan for their employees because private employees are not permitted to participate in a public health plan that enjoys ERISA reporting exemptions under federal law. The bill also makes technical changes to remove obsolete provisions.

SB 1092 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 HB 2219.

SB 1093 UNIFORM REAL PROPERTY TRANSFER ON DEATH ACT; CREATION OF A TRANSFER ON DEATH DEED.

This bill codifies the Uniform Real Property Transfer on Death Act, which authorizes the creation of a transfer on death deed, which, when properly executed and recorded, passes title directly to named beneficiaries without probate upon the transferor's death. The uniform act was approved by the National Conference of Commissioners on Uniform State Laws in 2009. The bill contains technical amendments.

SB 1097 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 hearing-impaired children and address those needs as appropriate in the child's IEP.

SB 1100 GENERAL REGISTRAR; REMOVES REQUIREMENT THAT OFFICE BE OPEN ON SECOND SATURDAY BEFORE MAY ELECTION.

This bill removes the requirement that the general registrar's office be open for eight hours on the second Saturday before a May election and retains the requirement that the office be open on the Saturday before the

May election. This imposes the same requirement on city general registrars as is currently imposed on town general registrars. Since this is a minimum requirement, the general registrar retains authority to provide additional office hours for in-person absentee voting on the second Saturday before the May election, but is not required to do so.

SB 1102 EMISSIONS INSPECTION; MINIMUM MILES PER GALLON RATING REQUIRED TO BE EXEMPT FROM TESTING.

This bill decreases the minimum miles per gallon rating required to be exempt from emissions inspection testing from 50 to 48 miles per gallon for 2008 and 2009 hybrid vehicles.

SB 1104 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 HB 2139.

SB 1106 FISHING LICENSES; MRC MAY REVOKE PRIVILEGES TO FISH WITHIN STATE'S TIDAL WATERS, ETC.

This bill authorizes the Virginia Marine Resources Commission to revoke a person's fishing privileges within the tidal waters if he violates any tidal fishing law and to withdraw all privileges to fish in tidal waters during the period in which any Commission-issued license has been revoked. The

revocation can be for a period of up to two years.

SB 1108 POTOMAC RIVER COMPACT; CHANGES PENALTY FOR ILLEGAL FISHING IN POTOMAC RIVER JURISDICTION OF COURT.

This bill amends the Potomac River Compact by changing the penalty for violating the fishing laws in the Potomac River from the current \$1,000 maximum penalty to a maximum penalty of \$3,000. The bill also requires the alleged offender, if he is a resident of Virginia or Maryland, to be tried in the state in which he resides.

SB 1110 OYSTER INSPECTION TAX; AUTHORIZES POTOMAC RIVER FISHERIES COMMISSION TO IMPOSE, USE OF PROCEEDS.

This bill authorizes the Potomac River Fisheries Commission to impose an oyster inspection tax not to exceed \$2 per bushel. Currently, under the Potomac River Compact, the Commission can impose an inspection tax that cannot exceed the higher severance tax per bushel on oysters that is imposed by Virginia or Maryland within their respective jurisdictions. The Commission's current per bushel inspection tax for oysters taken from the Potomac River is \$1. The bill provides that the proceeds from the tax are required to be used for planting seed or shell oysters on the working bottom. Both Virginia and Maryland must enact similar acts in order for the change to the Compact to go into effect.

SB 1111 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 HB 1771.

**SB 1112 DRIVING UNDER INFLUENCE OF ALCOHOL;
EXEMPLARY DAMAGES, ETC.**

This bill provides that for the purpose of awarding exemplary damages in an action for personal injury or death arising from the operation of a motor vehicle while under the influence, it shall be rebuttably presumed that the blood alcohol concentration of the defendant at the time of the incident causing injury or death was at least as high as the test result shown in a certificate of analysis for a blood or breath test, provided that the test was administered within three hours of the incident. In addition to other forms of proof, a party may submit a copy of a certificate of analysis for a blood or breath test administered pursuant to an arrest for driving under the influence, which shall be prima facie evidence of the facts contained therein.

**SB 1117 VIRGINIA UNIFORM CERTIFICATE OF TITLE FOR
WATERCRAFT ACT; ADOPTION OF ACT, TECHNICAL
AMENDMENTS.**

This bill repeals Virginia's existing watercraft titling law and enacts in its place the Uniform Certificate of Title for Vessels Act as adopted in 2011 by the National Conference of Commissioners on Uniform State Laws. The new act uses the term "watercraft" instead of "vessels" where appropriate to conform to Virginia law. The bill requires the owner of every watercraft of a particular size and type to apply for and obtain a certificate of title, lowering the minimum boat length for which a title is required from 18 feet to 16 feet for boats owned or purchased after July 1, 2014. The bill also details the methods of creation or cancellation of certificates by the Department of Game and Inland Fisheries and describes the contents and effects of a certificate, including the availability of a title brand, a permanent designation indicating that a watercraft's hull has been damaged. The bill applies some of the principles of the Uniform Commercial Code to the realm of watercraft by defining the rights of secured parties and purchasers other than secured parties and providing the method for perfecting a security interest. Finally, the bill also establishes the rules for transferring ownership of a watercraft by a transfer statement or by operation of law, sets out the means of acquiring title to an abandoned watercraft, states the duties of the Department, and provides several general provisions. The bill also makes technical amendments. The bill contains an enactment clause making it effective on July 1, 2014.

SB 1118 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 HB 1311.

SB 1119 STATE & LOCAL GOVERNMENT CONFLICT OF INTERESTS ACT; DEFINITION OF PERSONAL INTEREST IN TRANSACTION.

This bill amends the definition of personal interest in a transaction to clarify that such an interest does not exist when an officer, employee, or elected member of a separate local governmental agency formed by a local governing body is appointed to serve on a governmental agency and the personal interest in the transaction of the governmental agency is the result of the compensation or benefits provided by the separate local governmental agency to the officer, employee, elected member, or member of his immediate family.

SB 1121 WATER AND WASTE AUTHORITIES; RATES.

This bill clarifies the ability of a water or waste authority to fix rates for services that are furnished by a refuse collection and disposal system. The bill expands the list of rate-setting powers that require a public hearing by adding the rate-setting power found in subdivision 10 of § 15.2-5114, a power that includes the establishment of incentives for green roofs. The bill combines the two parallel processes found in current law for the setting of rates for sewage disposal and refuse collection, and it reduces the period for publication of notice of a rate-setting hearing from 60 days to 14 days. Finally, the bill provides that no rate established before January 1, 2013, shall be invalidated because of a failure to provide the required public notice. The bill also makes technical changes.

SB 1122 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 HB 1477.

SB 1123 VIRGINIA SHAKESPEARE FESTIVAL; DESIGNATING AS OFFICIAL SHAKESPEARE FESTIVAL.

This bill designates the Virginia Shakespeare Festival held in Williamsburg as the official Shakespeare festival of the Commonwealth.

SB 1124 LOCAL GOVERNMENT RECORDS; CLARIFIES AUTHORITY OF AUDITOR OF PUBLIC ACCOUNTS, ANNUAL AUDIT.

This bill clarifies the authority of the Auditor of Public Accounts (APA) and the type of audit that shall satisfy the annual audit requirement for localities and constitutional officers. The bill provides that the completion of an audit by an independent certified public accountant on behalf of the locality, when the audit includes the clerk of the circuit court, shall satisfy the requirement stipulated by § 30-134 that the APA audit the accounts of the locality at least once every two years. The bill also clarifies that the authority of the APA to audit accounts only when special circumstances require or fraud is suspected is not exclusive but rather exists in addition to the other auditing authority of the APA.

SB 1127 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 HB 1849.

SB 1128 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 HB 1358.

SB 1131 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 HB 2076.

SB 1132 CLAIMS; BENNETT BARBOUR'S ESTATE.

This bill provides relief in the amount of \$162,527 to the estate of Bennett Barbour, who was incarcerated twice for a total of five years and 11 months after being convicted of crimes of rape, burglary, and grand larceny; three years and 11 months of his time served is attributable to the rape conviction. Mr. Barbour has been issued a writ of actual innocence for the rape conviction. The relief will be paid as a lump sum to his estate within 60 business days immediately following the execution of a release from any present or future claims Mr. Barbour or his estate may have.

SB 1133 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 HB 1699.

SB 1135 CONTINUANCES; APPEARANCE OF PARTIES.

This bill provides that when the court grants a continuance in advance of the date of a scheduled trial or hearing, if the defendant acknowledges in writing, on a form provided by the Office of the Executive Secretary of the Supreme Court, that he promises to appear in court on the date and time of the newly scheduled trial or hearing, the court shall not require counsel or the defendant to appear on the date when the trial or hearing was originally scheduled. However, if the defendant is in violation of the terms of his pretrial release or has failed to appear at any court proceeding, the court may require the defendant to appear on the date when the trial or hearing was originally scheduled as a condition of any continuance granted.

SB 1137 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 HB 1760.

SB 1138 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 HB 1790.

SB 1140 MASS TRANSIT; IMPLEMENTS PERFORMANCE-BASED FUNDING FOR MASS TRANSIT FOR REVENUES ABOVE \$160 MILLION.

This bill implements performance-based funding for mass transit for revenues generated above \$160 million in 2014 and after. Creates the Transit Service Delivery Advisory Committee to advise the Department of Rail and Public Transportation on the distribution of such funds and how transit systems can incorporate the metrics into their transit development plans.

SB 1142 FUNERAL DIRECTORS AND EMBALMERS, BOARD OF; LICENSURE OF FUNERAL ESTABLISHMENTS, HARDSHIP WAIVERS.

This bill authorizes the Board of Funeral Directors and Embalmers to grant a waiver to allow a single full-time manager or funeral director to divide his time between two funeral establishments provided the distance between the two establishments is 50 miles or less. Under current law, the distance between the two establishments is limited to 35 miles or less.

SB 1144 PERSONAL PROPERTY; FRAUDULENT CONVERSION OR REMOVAL OF LEASED PROPERTY.

This bill provides that failure to return leased property to the lessor within 30, as opposed to 10, days after written notice has been given that the rental period for the property has expired is prima facie evidence of the intent to defraud and provides that failure to return leased property within 30, as opposed to 10, days of the expiration of the lease is to be deemed larceny.

SB 1145 ABSENTEE BALLOTS; CONFIRMATION OF RECEIPT.

This bill requires the Secretary of the State Board of Elections, in coordination with local election officials, to implement a free-access system by which a voter may determine whether his application for an absentee ballot has been received and accepted and whether his absentee ballot has been received and the current status of the absentee ballot.

SB 1147 CEMETERY BOARD; RESALE OF INTERMENT RIGHTS BY CHURCHES OR RELIGIOUS ORGANIZATIONS.

This bill establishes requirements for the resale of interment rights by churches or religious organizations. A resale conducted in compliance with the requirements set out by the bill shall be exempt from regulation by the Cemetery Board.

SB 1159 VIRGINIA STATE BAR; GRANTING CERTIFICATE OF ADMISSION TO LAW PROFESSORS.

This bill allows a full-time law professor to be admitted as an active member of the Virginia State Bar without examination provided that he is

otherwise eligible to be admitted to the Virginia State Bar. A full-time law professor who is not so eligible for admission may become an associate member of the Virginia State Bar.

SB 1164 INFANTS; CAUSE OF ACTION FOR EXPENSES FOR INJURY, STATUTE OF LIMITATIONS.

This bill provides that any action by a parent or guardian of an infant for the expenses of curing or attempting to cure the infant from the result of a personal injury or loss of services of the infant 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 also provides that, in actions that accrue on or after July 1, 2013, the past and future expenses of curing or attempting to cure the infant from a personal injury are limited by the cap on damages for medical malpractice claims, if applicable, and a parent or guardian of the infant who has paid or is personally obligated to pay such expenses has a lien and right of reimbursement against any recovery of the infant. The bill is identical to HB 1433.

SB 1165 DRIVER'S LICENSES, PROVISIONAL; PERSON UNDER AGE 18 CERTAIN RESTRICTIONS.

This bill provides that the holder of a provisional driver's license under age 18 is not authorized to operate a motor vehicle with more than one passenger who is less than 21 years old unless the driver is accompanied by a parent or person acting in loco parentis who is occupying a seat beside the driver. However, the bill does provide that, after the first year the provisional license is issued, the holder may operate a motor vehicle with up to three passengers less than 21 years old if driving to or from a school-sponsored activity, or if a licensed driver who is at least 21 years old is sitting on the seat beside the driver, or if there is an emergency. This passenger limitation does not apply to members of the driver's family or household. This bill only applies to those with a provisional driver's license who turn 17 after July 1, 2013.

SB 1166 LITTERING & ILLEGAL DUMPING; IF CONVICTED, ORDERED TO PERFORM MINIMUM OF 10 HRS. COMMUNITY SERVICE.

This bill provides that when a person is convicted of illegally dumping or disposing of garbage or refuse on public property or on private property without the permission of the owner, the court may order a mandatory minimum of 10 hours of community service.

SB 1167 STUDENT GROWTH INDICATORS; BOARD OF EDUCATION SHALL DEVELOP BY OCTOBER 1, 2014, REPORT.

This bill requires the Board of Education to develop student growth indicators by October 1, 2014, to be used in the accreditation of schools and the evaluation of teachers. The bill also requires the Department of Education to submit an interim report on the development of the student growth indicators to the Governor and the General Assembly by December 1, 2013.

SB 1171 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 HB 2068.

SB 1172 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 HB 2066.

SB 1175 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 teacher 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 HB 2084.

SB 1176 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 HB 2114.

SB 1177 VIRGINIA WORKFORCE COUNCIL; POWERS AND DUTIES.

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 HB 2154.

SB 1178 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 HB 1845.

SB 1179 DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION; 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 HB 1641.

SB 1180 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. This bill is identical to HB 1577.

SB 1183 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 HB 2082.

SB 1185 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 HB 2083.

SB 1186 MEDICAL ASSISTANCE SERVICES; DUTIES OF ATTORNEY GENERAL.

This bill provides that subpoenas issued by the Attorney General or his authorized representative during an investigation of providers of services under the State Medical Assistance Plan are excepted from certain provisions related to health records privacy and notice provisions, and information developed during a civil investigation is privileged.

SB 1187 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 HB 2123.

SB 1189 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 demonstrates that the waiver will increase the quality of instruction and improve the achievement of students in the affected school or schools.

SB 1191 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 HB 1750.

SB 1193 ALCOHOLIC BEVERAGE CONTROL; RENEWAL OF LICENSES, PAYMENT OF LICENSE TAX AND CIVIL PENALTY.

This bill authorizes the ABC Board to permit a licensee who fails to timely pay the required license tax and civil penalty to pay the tax in lieu of posting and publishing notice and reapplying, provided payment of the tax is made within 45 days following the 30-day extension and is accompanied by a civil penalty of \$100 or 25 percent of such tax, whichever is greater. The bill contains technical amendments.

SB 1194 JUVENILES; ALLEGED TO BE TRUANT, DEVELOPMENT OF TRUANCY PLAN.

This bill provides that in cases in which a school attendance officer files a complaint alleging that a juvenile is a truant and the juvenile has not previously been proceeded against informally or adjudicated in need of supervision for failure to comply with compulsory school attendance laws, the intake officer may defer filing of a petition alleging that the child is in need of supervision for 90 days and proceed informally by implementing a truancy plan developed by a school-based multidisciplinary team, a locally based multidisciplinary team, the appropriate public agency, or an interagency interdisciplinary team. The provisions of this act shall not become effective unless reenacted by the 2014 Session of the General Assembly.

SB 1195 ENTREPRENEUR-IN-RESIDENCE PROGRAM; CREATED, SUNSET PROVISION.

This bill creates the Entrepreneur-in-Residence Program, a pilot program administered by the Secretary of Commerce and Trade to improve outreach by state government to the private sector. The objectives of the Program are to (i) strengthen coordination and interaction between state government and the private sector on issues relevant to entrepreneurs and small business concerns and (ii) make state government programs and operations simpler, easier to access, more efficient, and more responsive to the needs of small business concerns and entrepreneurs. The program has a 2017 sunset date. The bill includes a reenactment clause and a provision requiring the Secretary of Commerce and Trade to establish recommended guidelines by November 1, 2013.

SB 1196 SCHOOL CHOICE; BOARD OF EDUCATION TO INCLUDE INFORMATION REGARDING PARENT AND STUDENT CHOICE.

This bill requires the Board of Education to include information regarding school choice in its annual report to the Governor and the General Assembly.

**SB 1197 VIRGINIA PUBLIC PROCUREMENT ACT;
CONTRACTS FOR ARCHITECTURAL OR PROFESSIONAL
ENGINEERING SERVICES.**

This bill authorizes any city within Planning District 8 to enter into individual contracts for architectural or professional engineering services up to \$5 million. Planning District 8 is composed of the Counties of Arlington, Fairfax, Loudoun, and Prince William; the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park; and the Towns of Dumfries, Herndon, Leesburg, Purcellville, and Vienna. Currently, the authority to enter into such contracts is limited to localities and local authorities, sanitation districts, metropolitan planning organizations, or planning district commissions with populations in excess of 80,000.

SB 1198 CHARTER; CITY OF FALLS CHURCH.

This bill allows the city to set the tax year for real estate, tangible personal property, and machinery and tools by ordinance.

**SB 1200 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 HB 2106.

**SB 1201 SCHOOL DIVISIONS; REGULATIONS CONCERNING
BOARD OF EDUCATION'S PROCESS FOR SUBMITTING
PROPOSALS, ETC.**

This bill removes the requirement that the Board of Education promulgate regulations concerning the process for submitting proposals for the consolidation of school divisions and temporarily employed teachers. The bill also removes the requirement that the Board promulgate emergency regulations regarding division-level academic reviews.

**SB 1203 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 HB 2095.

**SB 1204 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 HB 2052.

**SB 1205 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 HB 1847.

SB 1207 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 HB 1999.

SB 1208 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 HB 1772.

SB 1209 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 HB 2116.

**SB 1212 ENVIRONMENTAL QUALITY, DEPARTMENT OF;
PROVISION OF INFORMATION, PROTECTION OF TRADE
SECRETS.**

This bill requires that every person who the Department of Environmental Quality has reason to believe is generating or handling waste provide the Department with information about the waste upon request. The bill exempts trade secrets contained in such information from disclosure by the Department under certain conditions while still allowing the Department to provide such information to the Environmental Protection Agency or as otherwise required by law.

**SB 1213 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 HB 1805.

**SB 1214 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 HB 1746.

**SB 1215 STATE GOVERNMENT OFFICERS AND EMPLOYEES;
REPRESENTATION OF CLIENTS, PROHIBITED CONDUCT.**

This bill provides that certain former employees of state agencies must wait one year before representing clients for compensation before their agencies in matters involving regulatory review by such agencies.

**SB 1216 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. The bill is identical to HB 2155.

**SB 1217 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 HB 2148.

SB 1218 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.

**SB 1219 MOTOR CARRIER AND COMMERCIAL DRIVERS;
AMENDS SEVERAL LICENSING LAWS.**

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 HB 2077.

SB 1220 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 HB 2145.

SB 1221 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 HB 2127.

SB 1222 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.

SB 1223 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.

SB 1225 RS & UT; ADDS CITY OF FREDERICKSBURG.

This bill adds the City of Fredericksburg to the list of localities that are permitted to retain sales and use tax revenue generated within a public facility to pay off bonds issued for the construction of the public facility.

SB 1226 CASH PROFFERS; EXTENDS FROM 7 TO 12 YEARS TIME BY WHICH LOCALITY MUST BEGIN UTILIZATION.

This bill extends from seven to 12 years the time by which a locality must begin utilization of cash proffers.

SB 1227 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, so long as such securities are sold by the recipient scholarship foundation within 14 days of receipt of the donation; (ii) changing reporting requirements to the Department of Education, changing the time frame for scholarship foundations to disburse moneys for scholarships, and changing

the penalties for failing to make such reports and disbursements under the Education Improvement Scholarships Tax Credits program; and (iii) for the Neighborhood Assistance Act Tax Credit program, establishing \$125,000 as the maximum annual amount of donations by an individual for which tax credits may be issued. The bill also makes several other technical changes.

SB 1229 ELECTIONS, STATE BOARD OF; PROVIDES FOR DEPARTMENT OF ELECTIONS AND COMMISSIONER OF ELECTIONS.

This bill changes the name of the State Board of Elections (the agency that administers election law) to the Department of Elections. The three-member board appointed by the Governor that is also known as the State Board of Elections retains its name. The bill also provides that instead of the Governor designating one member of the three-member State Board of Elections as the Secretary who then acts as the agency head, the Governor will appoint a Commissioner of Elections to act as agency head. The bill has a delayed effective date of July 1, 2014.

SB 1234 JUVENILES; PLACEMENT IN SECURE LOCAL FACILITY.

This bill clarifies that a juvenile 14 years of age or older who is eligible for commitment to the Department of Juvenile Justice may be confined in a detention home or other secure local facility for more than 30 days provided that the court orders the juvenile committed to the Department but suspends such commitment.

SB 1235 ALCOHOLIC BEVERAGE CONTROL; OPERATION OF GOVERNMENT STORES.

This bill clarifies that the requirement that all alcoholic beverages sold at government stores be in closed containers, sealed, and affixed with labels prescribed by the ABC Board does not apply to tasting samples provided at government stores established by the Board on a distiller's licensed premises. The bill also provides that such distiller may charge consumers for such tastings.

SB 1236 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 HB 1860.

SB 1241 TAX CODE, COMMONWEALTH'S; 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 HB 2150.

SB 1242 TUITION, IN-STATE; VETERANS RESIDING WITHIN STATE SHALL BE ELIGIBLE FOR IN-STATE CHARGES.

This bill 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 HB 1461.

SB 1243 HEALTH MAINTENANCE ORGANIZATIONS; HEALTH CARE PLANS TO PROVIDE COVERAGE FOR NEWBORN CHILDREN.

This bill requires health care plans provided by a health maintenance organization to provide coverage for newborn children. The same requirement currently exists for health insurance policies and subscription contracts with family coverage. The bill does not apply to Medicaid managed care and FAMIS plans.

SB 1246 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 HB 2316.

SB 1248 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 HB 2101.

SB 1249 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 HB 2157.

SB 1256 VOTER IDENTIFICATION REQUIREMENTS; PHOTO ID REQUIRED AT POLLS, APPLICATION FOR ABSENTEE BALLOT.

This bill requires photo ID at the polls by eliminating all forms of

identification that do not contain a photograph of the voter from the list of forms of identification any one of which a voter must present in order to be allowed to vote. The bill also adds a valid United States passport to the list and requires that a student identification card issued by an institution of higher education in the Commonwealth contain a photograph in order to be used by a voter. The bill does not affect the right of a voter who does not present one of the required forms of identification to cast a provisional ballot. The bill also provides that the State Board shall provide free voter registration cards that contain a voter's photograph and signature if the voter does not possess other satisfactory photo ID. 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 2013 Session of the General Assembly.

SB 1257 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 HB 2245.

SB 1259 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 transfer 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 HB 2180.

SB 1261 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.

SB 1262 ADMISSIONS TAX; ADDS STAFFORD COUNTY TO LIST OF COUNTIES AUTHORIZED TO IMPOSE ON CERTAIN ADMISSIONS.

This bill authorizes Stafford County to impose an admissions tax for attendance at entertainment venues, beginning July 1, 2014. The authority to impose the tax will expire on July 1, 2015, if no entertainment venues exist in Stafford County by that date.

SB 1263 VA FOIA; MEETING BY ELECTRONIC COMMUNICATION MEANS BY CERTAIN COMMITTEES, ETC. OF STATE BODIES.

This bill authorizes an advisory public body, defined as any state public body classified as advisory pursuant to § 2.2-2100 or any committee, subcommittee, or other entity, however designated, of a state public body created to advise the state public body, to meet by electronic communication means without a quorum of the advisory public body being physically assembled at one location, provided, among other requirements, the meeting is conducted utilizing a combined audio and visual communication method. The bill requires any advisory public body holding

this kind of electronic communication meeting to make an audiovisual recording of the meeting, which recording shall be preserved by the advisory public body for a period of three years from the date of the meeting. The bill also enhances the annual reporting requirements for any public body authorized to conduct electronic communication meetings and requires the FOIA Council to develop a form that an authorized public body must make available to the public at any such meeting for public comment. The above-described provisions of the bill by its terms will expire on July 1, 2014. Finally, the bill allows a member of any public body to participate in a meeting by electronic communication means due to personal matters under certain circumstances. Currently, such remote participation is allowed only for emergency, medical condition, or distance from the meeting location of more than 60 miles. The bill is a recommendation of the Virginia Freedom of Information Advisory Council.

SB 1264 VA. FOIA; ACCESS TO CRIMINAL AND OTHER RECORDS.

This bill reorganizes § 2.2-3706 of the Freedom of Information Act relating to access to criminal records and other records held by law-enforcement agencies. The only substantive changes in the bill are to (i) expand to the state law-enforcement agencies the ability to withhold portions of noncriminal incident information and (ii) allow law-enforcement agencies to make a verbal response for requests for criminal incident information. The bill also clarifies that personnel records of persons employed by a law-enforcement agency are not noncriminal records but subject to the personnel records and background investigation records exemptions. The bill contains technical amendments and is a recommendation of the Virginia Freedom of Information Advisory Council.

SB 1265 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 HB 2194.

SB 1270 MARINA OPERATORS; INCLUDES STATE & LOCAL AGENCIES AMONG THOSE REQUIRED TO FILE LISTS OF BOAT OWNERS.

This bill includes state and local agencies among certain operators of marinas or boat storage places that must file with the commissioner of the revenue a list of boat owners and the name and number of the boats in the marina.

SB 1272 DUI; PENALTY WHEN PERSON IS CONVICTED OF FELONY OFFENSE, PUNISHMENT FOR SUBSEQUENT VIOLATION.

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 HB 1559.

SB 1277 WILDLIFE EXHIBITOR PERMIT; POSSESSION AND DISPLAY OF WILDLIFE IN SCHOOLS FOR EDUCATIONAL PURPOSES.

This bill requires the Board of Game and Inland Fisheries to establish standards for the possession and display of wildlife by elementary and secondary school teachers for educational purposes. The bill exempts such exhibits from the wildlife exhibitor permit application and fee so long as the Department of Game and Inland Fisheries is notified of the display of wildlife and such display complies with the standards established by the Board.

SB 1279 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 HB 2048.

SB 1282 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 HB 2241.

SB 1284 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 HB 2243.

SB 1285 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 HB 1422.

SB 1287 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 HB 1770.

SB 1288 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 HB 1383.

SB 1291 MENHADEN FISH; ALLOWABLE CATCH FOR THOSE LANDED IN STATE, ETC., 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. This bill is identical to HB 2254.

SB 1293 COMPREHENSIVE PLAN; TRANSPORTATION COMPONENT TO BE CONSISTENT WITH STATEWIDE TRANSPORTATION PLAN.

This 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 HB 1717.

SB 1296 UNCLAIMED TAX CREDITS; TAX CREDIT OBSOLETE IF NOT CLAIMED BY ANY TAXPAYER IN 5 YEARS, ETC., REPORT.

This bill declares a tax credit obsolete if it has not been claimed by any taxpayer during the preceding five calendar years, and prohibits the Department of Taxation from authorizing any taxpayer to claim a tax credit once it has been declared obsolete. The Department shall report annually to the House Committee on Appropriations, the House Committee on Finance, and the Senate Committee on Finance on credits that have been declared obsolete and shall post such report on its website.

SB 1298 LICENSE PLATES, SPECIAL; ISSUANCE TO CERTAIN MEMBERS, ETC., WITH 6 MONTHS SERVICE IN U.S. NAVY, ETC.

This bill authorizes the issuance of special license plates for active duty members, retirees, or honorably discharged veterans with six months of service in the U.S. Navy or U.S. Air Force.

SB 1304 ALCOHOLIC BEVERAGE CONTROL; CREATES ANNUAL MIXED BEVERAGE PERFORMING ARTS FACILITY LICENSE, ETC.

This bill creates the annual mixed beverage performing arts facility license and sets out the privileges of the license and state and local license taxes. The bill incorporates SB 1303.

SB 1305 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.

SB 1309 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 HB 2209.

SB 1310 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 HB 1443.

SB 1316 WETLAND DELINEATOR; REQUIREMENTS FOR CERTIFICATION.

This bill removes the requirement that experience in wetland delineation prior to applying for certification as a wetland delineator must have occurred under the supervision of a certified professional wetland delineator.

SB 1317 REAL PROPERTY; DGS AUTHORIZED TO CONVEY PROPERTY TO MENNEL MILLING COMPANY IN ROANOKE COUNTY.

This bill modifies a 2011 enactment whereby the Department of General Services was authorized to convey certain real property to the Mennel Milling Company. The bill changes the terms of the conveyance of certain real property to the Mennel Milling Company located in Roanoke County, Virginia, by providing that the conveyance is to be made at no cost to the Commonwealth relating to the conveyance such as title insurance fees and premiums, environmental investigations, and survey costs, but expressly excluding any potential costs expended by the Commonwealth related to the improvement and use of the property exchanged or for costs expended by the Commonwealth in connection with the use of the parcel conveyed. The bill also removes the emergency clause on the 2011 enactment.

SB 1320 JOB INVESTMENT AND INCENTIVE GRANT PROGRAMS; INFORMATION TO VERIFY EMPLOYMENT STATUS.

This bill authorizes state entities awarding grants or other incentives that are based on employment goals to require the recipient to provide copies of the employer quarterly payroll reports provided to the Virginia

Employment Commission to verify the employment status of any position included in the employment goal.

**SB 1324 OPPORTUNITY EDUCATIONAL INSTITUTION;
ESTABLISHED, REPORT.**

This bill creates the Opportunity Educational Institution to be administered and supervised by the Opportunity Educational Institution Board. The bill requires any school that has been denied accreditation and permits any school that has been accredited with warning for three consecutive years to be transferred to the Institution and remain in the Institution for five years or until the school achieves full accreditation. The bill also sets forth requirements for student attendance, staffing, and funding for the Institution. The provisions of the bill are contingent on funding in a general appropriation act.

**SB 1325 PROFESSIONAL COUNSELORS, ETC.; BOARD OF
COUNSELING TO ESTABLISH SPECIFIED FEES FOR
LICENSURE, ETC.**

This bill requires the Board of Counseling to establish, among other fees, specified fees for the licensure and certification of professional counselors, marriage and family therapists, substance abuse treatment practitioners, substance abuse counselors, substance abuse counseling assistants, and rehabilitation providers and provides that after July 1, 2015, any increase or decrease in the fees of the Board of Counseling shall be governed by the provisions of § 54.1-113 and the Administrative Process Act. This bill contains an emergency clause.

**SB 1330 EASTERN VIRGINIA MEDICAL SCHOOL; REDUCES
MINIMUM NUMBER OF REQUIRED MEETINGS OF BOARD
OF VISITORS.**

This bill reduces the minimum number of required meetings of the Board of Visitors of the Eastern Virginia Medical School from six per year to four per year.

SB 1331 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. This bill is identical to HB 2012.

SB 1333 JAMESTOWN-YORKTOWN FOUNDATION; MEMBERSHIP.

This bill authorizes the Senate Committee on Rules to determine if the Chairman of the Senate Finance Committee or the Chairman Emeritus of the Senate Finance Committee will serve on the Jamestown-Yorktown Foundation Board of Trustees. Currently, the Chairman must serve.

SB 1334 VIRGINIA FREEDOM OF INFORMATION ACT; EXEMPTION FOR COMMONWEALTH'S ATTORNEYS' SERVICES COUNCIL.

This bill provides an exemption from the mandatory disclosure requirements of the Freedom of Information Act for records of the Commonwealth's Attorneys' Services Council to the extent such records are (i) prepared for and utilized by the Council in the training of state prosecutors or law-enforcement personnel, where such records are not otherwise available to the public and the release of such records would reveal confidential strategies, methods, or procedures to be employed in law-enforcement activities, or (ii) materials created for the investigation and prosecution of a criminal case.

SB 1335 CONCEALED HANDGUN PERMITS; CONFIDENTIALITY OF PERMITTEE INFORMATION.

This bill prohibits the clerk of a circuit court who issued a concealed handgun permit from publicly disclosing an applicant's name and any other information contained in a concealed handgun permit application or in any order issuing a concealed handgun permit.

SB 1337 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 HB 1618.

SB 1342 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 HB 1609.

SB 1343 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. HB 1533 is identical to this bill.

SB 1345 TEACHER LICENSURE; RENEWAL REQUIREMENTS BY BOARD OF EDUCATION.

This bill requires the Board of Education to amend its regulations to require any individual licensed and endorsed to teach (i) middle school civics or economics or (ii) high school government or history who is seeking renewal of such license to demonstrate knowledge of Virginia history or state and local government by completing a module or professional development course specifically related to Virginia history or state and local government that has a value of five professional development points. This requirement applies for purposes of the individual's next or initial renewal occurring after July 1, 2014.

SB 1347 SOUTHWEST VIRGINIA HEALTH AUTHORITY; CLARIFIES DEFINITION OF HOSPITAL, ETC., POWERS, REPORT.

This bill clarifies the definition of "hospital or health center" by adding references to dental facilities. The bill also adds provisions related to the authority of an industrial development authority to issue bonds in furtherance of the establishment of a nonprofit hospital or health center.

SB 1349 ALCOHOLIC BEVERAGE CONTROL; MANDATORY REVOCATION OF MIXED BEVERAGE LICENSES, PROHIBITED ACTS.

This bill requires the ABC Board to revoke the license of a licensee that (i) has defrauded or attempted to defraud the ABC Board, or any federal, state, or local government or governmental agency or authority, by making or filing any report, document, or tax return required by statute or regulation that is fraudulent or contains a willful or knowing false representation of a material fact or (ii) has willfully deceived or attempted to deceive the Board, or any federal, state, or local government or governmental agency or authority, by making or maintaining business records required by statute or regulation that are false or fraudulent. The bill

directs the ABC Board to meet with interested parties and others to develop guidelines for appropriate sanctions for violations relating to the food-beverage ratio and MBAR reports by mixed beverage licensees. As part of this study, the ABC Board is directed to include certain information in its report to the Chairs of the House General Laws Committee and the Senate General Laws and Technology Committee. The bill contains technical amendments.

SB 1350 SMALL BUSINESS AND SUPPLIER DIVERSITY, DEPARTMENT OF; CREATED, REPORT.

This bill creates the Department of Small Business and Supplier Diversity by consolidating the powers and duties of the Department of Business Assistance and the Department of Minority Business Enterprise. The bill abolishes the Department of Business Assistance and the Department of Minority Business Enterprise. The bill has a delayed effective date of January 1, 2014, and contains numerous technical amendments to accomplish this consolidation.

SB 1356 LOUDOUN COUNTY; GOVERNING BODY TO APPOINT MEMBERS OF ITS BOARD OF EQUALIZATION.

This bill authorizes the governing body of Loudoun County to appoint the members of its board of equalization rather than the appointment of such members by the circuit court.

SB 1363 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 HB 2317.

SB 1368 LICENSE PLATES, SPECIAL; ISSUANCE OF THOSE BEARING LEGEND: PEACE BEGINS AT HOME.

This bill authorizes the issuance of revenue-sharing special license plates

bearing the legend PEACE BEGINS AT HOME to support the programs of the Virginia Sexual and Domestic Violence Action Alliance for the prevention of sexual and domestic violence in Virginia.

**SB 1373 INTERCEPTION OF COMMUNICATIONS;
AUTHORIZATION FOR MONITORING OF
COMMUNICATIONS 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 HB 2266.

**SB 1376 CERTAIN PERSONS; IMMUNITY FOR THOSE
REPORTING, ETC., INDIVIDUAL POSING CREDIBLE
DANGER OF INJURY.**

This bill provides that any person who, in good faith and without malice, reports, investigates, or causes an investigation to be made into the activities of any person relating to conduct involving bomb threats or other explosives or alcohol or drug use at a school or institution of higher learning or in connection with a school or institution activity shall be immune from all civil liability that might be incurred as a result of making such a report or investigation. Currently, only certain school and institution personnel enjoy such immunity. The bill also provides that any person is likewise immune if he, in good faith and without malice, reports, investigates, or causes an investigation to be made into information that any person poses a credible danger of serious bodily injury or death to any other person on school property.

**SB 1378 FIREARMS; PERSON GUILTY OF CLASS 4 FELONY
IF SELLS TO PERSON HE KNOWS IS PROHIBITED FROM
POSSESSING.**

This bill provides that a person who engages in the "strawman" purchase of a firearm, where he purchases a firearm with the intent to resell or transport with the intent to resell outside of the Commonwealth to any person he knows is prohibited from purchasing a firearm, is guilty of a

Class 4 felony and shall be sentenced to a mandatory minimum term of imprisonment of one year. Under current law, the penalty for such an offense is a Class 5 felony. Finally, the bill provides that a person who is ineligible to purchase or possess a firearm and who assists any other person in the strawman purchase of a firearm is guilty of a Class 4 felony with a mandatory minimum term of imprisonment of five years to be served consecutively with any other sentence. Under current law, the penalty for such offense is a Class 5 felony with a mandatory minimum term of five years. The prohibitions against strawman purchases do not apply to the purchase of a firearm by a parent, grandparent, or other guardian of a child for the lawful use, possession, or transport of the firearm by the child where the child's age is the sole reason the child is ineligible to purchase a firearm. The bill also adds persons found legally incompetent or mentally incapacitated, persons involuntarily admitted to a mental health facility or sent for involuntary outpatient mental health treatment, and those who were the subject of a temporary detention order and subsequently agreed to voluntary admission to a mental health facility to the list of persons for whom it is illegal to sell, barter, give, or furnish a firearm if the seller knows that the person is prohibited from possessing or transporting a firearm and increases the penalty from a Class 6 felony to a Class 4 felony.

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