

Bills	Committee	Last action	<u>Date</u>
<u>HB 57</u> - <u>Cole</u> - Business, professional, and occupational license (BPOL) tax; limits on rates and imposition.	<u>(H) Committee on Finance</u> <u>(S) Committee on Finance</u>	(S) Referred to Committee on Finance	01/29/10
<u>notes</u> : This legislation places limits on rates and imposition of the BPOL Tax. It Prohibits any locality from (i) imposing the BPOL tax if the locality did not impose it as of January 1, 2010, and (ii) increasing the BPOL tax rates after January 1, 2010.			
<u>HB 69</u> - <u>Carrico</u> - Firearms, ammunition, etc.; those manufactured and retained in State not subject to federal law.	<u>(H) Committee on Militia, Police and Public Safety</u>	(H) Assigned MPPS sub: #1	01/28/10
<u>notes</u> : Declares that firearms, firearms accessories, and ammunition made in Virginia and retained within the borders of Virginia are not subject to federal law or regulation under the authority of Congress to regulate interstate commerce.			
<u>HB 83</u> - <u>Knight</u> - Pawnbrokers; local government may by an ordinance require daily report to be electronically filed.	<u>(H) Committee on General Laws</u> <u>(S) Committee on General Laws and Technology</u>	(S) Referred to Committee on General Laws and Technology	01/28/10
<u>notes</u> : This legislation authorizes any local governing body to enact an ordinance requiring a pawnbroker to maintain and file a daily report electronically through the use of a disk, electronic transmission, or any other electronic means of reporting approved by a law-enforcement officer. Currently, such authorization is limited to any town with a population between 13,000 and 14,000.			
<u>HB 94</u> - <u>Bell, Richard P.</u> - Income tax, corporate; reduction of rate for up to three years for certain small businesses.	<u>(H) Committee on Finance</u>	(H) Continued to 2011 in Finance	02/01/10
<u>notes</u> : This legislation allows a reduction of one percent in the corporate income tax rate for up to three years for certain small businesses that increase the number of their full-time employees by a minimum of five percent over the previous year.			
<u>HB 102</u> - <u>Loupassi</u> - Petit larceny; allows	<u>(H) Committee for Courts of Justice</u>	(H) Assigned Courts sub: Criminal	01/13/10

court to defer and dismiss first-offense charge.			
<p><u>notes</u>: Allows a court to defer and dismiss a first-offense petit larceny charge, provided the accused meets terms and conditions of probation, including payment of a loss-prevention fee of \$100 to \$500 to the owner of the property, in addition to any restitution ordered.</p>			
<p><u>HB 109</u> - <u>Cole</u> - Firearms; destruction of certain records by clerk of circuit court.</p>	<p><u>(H) Committee on Militia, Police and Public Safety</u></p>	<p>(H) Assigned MPPS sub: #1</p>	<p>01/27/10</p>
<p><u>notes</u>: This legislation repeals local authority to impose a license tax of not more than \$25 on persons engaged in the business of selling pistols and revolvers. Also, a recordkeeping requirement for such persons is deleted and the clerk of the circuit court shall destroy any such existing records.</p>			
<p><u>HB 110</u> - <u>Cole</u> - BPOL tax; localities to decide to impose on business's gross receipts or its State taxable income.</p>	<p><u>(H) Committee on Finance</u></p>	<p>(H) Assigned Finance sub: #2</p>	<p>01/19/10</p>
<p><u>notes</u>: This legislation allows localities to decide whether to impose the BPOL tax on a business's gross receipts or its Virginia taxable income.</p>			
<p><u>HB 116</u> - <u>Purkey</u> - Mail order pharmacy; insurer not limited to a single provider for services.</p>	<p><u>(H) Committee on Commerce and Labor</u> <u>(S) Committee on Education and Health</u></p>	<p>(S) Referred to Committee on Education and Health</p>	<p>01/28/10</p>
<p><u>notes</u>: This legislation authorizes accident and sickness insurers proposing to issue preferred provider policies or contracts and health maintenance organizations providing health care plans to select a single mail order pharmacy provider as an exclusive provider of mail order pharmacy services.</p>			
<p><u>HB 119</u> - <u>Purkey</u> - Income tax, corporate; eliminates State tax for taxable years on and after January 1, 2010.</p>	<p><u>(H) Committee on Finance</u></p>	<p>(H) Assigned Finance sub: #2</p>	<p>01/19/10</p>
<p><u>notes</u>: Eliminates Virginia's corporate income tax for taxable years beginning on and after January 1, 2010.</p>			
<p><u>HB 144</u> - <u>O'Bannon</u> - DUI; law-enforcement officer may inquire</p>	<p><u>(H) Committee for Courts of Justice</u></p>	<p>(H) Assigned Courts sub: Criminal</p>	<p>01/13/10</p>

about location of consumption of last drink.			
<p><u>notes</u>: Provides that any law-enforcement officer, in the course of questioning a person whom he suspects is guilty of driving while intoxicated, may ask the person to identify the physical location where he consumed his last alcoholic beverage, and if the person gives an answer, the officer shall record the information and provide it to the Alcoholic Beverage Control Board.</p>			
<p><u>HB 171</u> - <u>Pogge</u> - Firearms in locked vehicles; immunity from liability.</p>	<p><u>(H) Committee on Militia, Police and Public Safety</u></p>	<p>(H) Assigned MPPS sub: #1</p>	<p>01/27/10</p>
<p><u>notes</u>: immunity from liability. Provides that no person, property owner, tenant, employer, or business owner may prohibit a person who lawfully possesses a firearm from storing that firearm in a locked motor vehicle. The bill provides civil immunity for such persons, property owners, tenants, employers, or business owners. The provisions of the bill would not apply to possession of firearms on school property, nor would the provisions apply to vehicles owned or leased by an employer or business and used by an employee in the course of his employment.</p>			
<p><u>HB 177</u> - <u>Morrissey</u> - Seasonal tax preparation employees; disqualifies employee from receiving unemployment compensation.</p>	<p><u>(H) Committee on Commerce and Labor</u></p>	<p>(H) Assigned C & L sub: #1</p>	<p>01/26/10</p>
<p><u>notes</u>: Disqualifies a seasonal employee of a tax preparation firm from receiving unemployment compensation benefits outside of the tax preparation season, if the individual was notified in writing at the time of his hiring that his employment is only for the term of the tax preparation season.</p>			
<p><u>HB 178</u> - <u>Morrissey</u> - Seasonal or temporary workers; disqualifies employee from unemployment compensation benefits.</p>	<p><u>(H) Committee on Commerce and Labor</u></p>	<p>(H) Assigned C & L sub: #1</p>	<p>01/26/10</p>
<p><u>notes</u>: Disqualifies an unemployed individual for unemployment compensation benefits if he was provided with written notice, and signed an acknowledgment of receipt of such notice, by his employer stating that his employment is temporary or seasonal and will be terminated by a date certain or upon the completion of seasonal work specified in the written notice.</p>			

HB 181 - <u>Morrissey</u> - Gift cards; prohibits issuance of those that automatically expire as a result of passage of time.	<u>(H) Committee on Commerce and Labor</u>	(H) Referred to Committee on Commerce and Labor	01/07/10
<u>notes</u> : Prohibits the issuance of a gift card that automatically, as a result of the passage of a period of time following its purchase or activation (i) expires, (ii) diminishes in value by the assessment of a maintenance fee or inactivity fee, or (iii) otherwise becomes unredeemable.			
HB 223 - <u>Watts</u> - Estate tax; dedication of revenues collected.	<u>(H) Committee on Rules</u>	(H) Referred to Committee on Rules	01/11/10
<u>notes</u> : Reinstates the estate tax for persons dying on or after July 1, 2010. No estate tax will be imposed on a gross estate if the majority of the assets of the estate is an interest in a closely held business or a working farm. The revenues from the estate tax would first be used for funding staffing standards in nursing homes required to be established under the bill, which staffing standards would require a minimum period of time of direct care services to each resident per 24-hour period.			
HB 249 - <u>Merricks</u> - School calendar; opening of 2010-2011 school year in Planning Districts 5 and 12.	<u>(H) Committee on Education</u>	(H) Subcommittee recommends laying on the table	01/21/10
<u>notes</u> : Authorizes the school boards in Planning Districts 5 and 12, which includes Alleghany County, Botetourt County, Craig County, Roanoke County, City of Covington, City of Roanoke, City of Salem, Pittsylvania County, Martinsville City, Henry County, Franklin County, Patrick County, and Danville City, to set the opening of the 2010-2011 school year so that the first day students are required to attend school shall be one week prior to Labor Day.			
HB 262 - <u>Sherwood</u> - One-stop small business permitting program; fees for veterans.	<u>(H) Committee on General Laws</u>	(H) Assigned GL sub: #3 ABC/Gaming	01/15/10
<u>notes</u> : fees for veterans. Exempts veterans from paying application or permitting fees to permit-issuing agencies when establishing a small business through the one-stop small business permitting program conducted by the Department of Business Assistance. Veterans are also exempted from the requirement that they pay the Department's handling fee. The Department is required to pay application or permitting fees to permit-issuing agencies on behalf of exempt veterans from the Comprehensive Permitting Fund.			
HB 269 - <u>Englin</u> -	<u>(H) Committee on Finance</u>	(H) Assigned Finance sub:	02/01/10

Retail Sales and Use Tax; increases rate on motor fuels in Northern Virginia.		#1	
<u>notes</u> : increase in rate. Increases the rate of the state sales tax on motor fuels in Northern Virginia from 2.1 percent to 4.2 percent.			
HB 279 - Albo - Alcoholic beverage control; third party shipment of wine and beer.	(H) Committee on General Laws	(H) Subcommittee recommends incorporating (HB630-Scott, E.T.)	01/28/10
<u>notes</u> : third party shipment of wine and beer. Authorizes a third party located off the licensed premises and under the direction and control of the Virginia wine or beer shipper licensee to (i) solicit and receive orders for wine or beer, (ii) pack and ship wine or beer in accordance with a license or other approval by the Commonwealth or the state where located, and (iii) take other action as permitted by the Board.			
HB 343 - Ware, O. - Community development authorities; permitted to request locality levy and collect special tax.	(H) Committee on Counties, Cities and Towns	(H) Assigned CC & T sub: #1	01/15/10
<u>notes</u> : Permits community development authorities to request that the locality levy and collect a special tax on transient occupancy, food and beverages, and sales. The special rate of the transient occupancy tax and tax on food and beverages shall not be more than two percent above the tax authorized by charter or other laws of the Commonwealth, and must not exceed the limitations specified in Chapter 38 of Title 58.1. The special rate of the sales tax shall not be more than one percent above the tax authorized by charter or other laws of the Commonwealth and must not exceed the limitations specified in Chapter 6 of Title 58.1. The proceeds of the special tax shall be kept in a separate account and shall only be used for the purposes of the community development authority. All localities are authorized, by enactment of this legislation, to collect said taxes. This legislation also contains technical amendments.			
HB 354 - Englin - Alcoholic beverage control; creates hotel manager's reception license.	(H) Committee on General Laws	(H) Assigned GL sub: #3 ABC/Gaming	01/15/10
<u>notes</u> : hotel manager's reception license. Creates a new hotel manager's reception license and sets out the privileges of the license as well as the license taxes.			
HB 359 - Ware, O. - Community	(H) Committee on Finance	(H) Assigned Finance sub: #1	01/18/10

development authorities; permitted to request locality levy and collect special tax.			
<p><u>notes</u>: Permits community development authorities to request that the locality levy and collect a special tax on transient occupancy, food and beverages, and sales. The special rate of the transient occupancy tax and tax on food and beverages shall not be more than two percent above the tax authorized by charter or other laws of the Commonwealth, and must not exceed the limitations specified in Chapter 38 of Title 58.1. The special rate of the sales tax shall not be more than one percent above the tax authorized by charter or other laws of the Commonwealth and must not exceed the limitations specified in Chapter 6 of Title 58.1. The proceeds of the special tax shall be kept in a separate account and shall only be used for the purposes of the community development authority. This legislation also contains technical amendments.</p>			
<p><u>HB 731</u> - <u>Albo</u> - School calendar; local school boards to set first day of school.</p>	<p><u>(H) Committee on Education</u></p>	<p>(H) Subcommittee recommends incorporating (HB565-Tata)</p>	<p>01/21/10</p>
<p><u>notes</u>: School calendar. Provides that each local school board shall set the school calendar so that the first day students are required to attend school shall be no earlier than the Monday after the fourth weekend in August.</p>			
<p><u>HB 771</u> - <u>Cleaveland</u> - School calendar; opening of school year in City of Roanoke.</p>	<p><u>(H) Committee on Education</u></p>	<p>(H) Subcommittee recommends laying on the table</p>	<p>01/21/10</p>
<p><u>notes</u>: Opening of the school year in the City of Roanoke. Authorizes the City of Roanoke School Board to set the opening of the school year so that the first day students are required to attend school shall be no earlier than two weeks prior to Labor Day.</p>			
<p><u>HB 799</u> - <u>Greason</u> - School calendar; local school boards responsible for determining opening of school year.</p>	<p><u>(H) Committee on Education</u></p>	<p>(H) Subcommittee recommends laying on the table</p>	<p>01/21/10</p>
<p><u>notes</u>: Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.</p>			
<p><u>HB 807</u> - <u>Poindexter</u> - Workers' compensation; insurance carriers to</p>	<p><u>(H) Committee on Commerce and Labor</u> <hr/><u>(S) Committee on</u></p>	<p>(S) Referred to Committee on Commerce and Labor</p>	<p>01/28/10</p>

file proof of coverage within 30 days of inception.	Commerce and Labor		
<u>notes</u> : proof of coverage. Authorizes workers' compensation insurance carriers to file proof of coverage within 30 days of an insurance policy's inception. The filing shall be made electronically in the form prescribed by, and to the agent designated by, the Workers' Compensation Commission.			
HB 817 - Abbott - Garnishment; deposit of earnings.	(H) Committee for Courts of Justice	(H) Assigned Courts sub: Civil	01/19/10
<u>notes</u> : deposit of earnings. Provides that a depository shall not withhold any earnings for garnishment that have been deposited into an individual's account after the date of receipt of the garnishment summons by the depository.			
HB 820 - Surovell - Cigarette tax; penalties for unstamped cigarettes.	(H) Committee on Finance	(H) Reported from Finance with amendments (21-Y 0-N)	02/01/10
<u>notes</u> : penalties for unstamped cigarettes. Creates more civil penalties for unstamped cigarettes as follows: \$2.50 per pack, up to \$500, for the first violation by a legal entity within a 36-month period; \$5 per pack, up to \$1,000, for the second violation by the legal entity within a 36-month period; and \$10 per pack, up to \$50,000, for the third or subsequent violation by the legal entity within a 36-month period. If willful intent exists to defraud the Commonwealth, the penalty is \$25 per pack, up to \$250,000. The same penalties apply to any person who sells, purchases, transports, receives, or possesses unstamped cigarettes.			
HB 830 - Surovell - Food and beverage tax; adds Fairfax County to those that may impose.	(H) Committee on Finance	(H) Subcommittee recommends passing by indefinitely	01/20/10
<u>notes</u> : Fairfax County. Adds Fairfax County to those counties that may impose a food and beverage tax without a referendum, provided the governing body votes unanimously to impose the tax.			
HB 860 - Cline - Income tax, corporate; reduces rate from 6 percent to 5.75 percent.	(H) Committee on Finance	(H) Assigned Finance sub: #3	01/25/10
<u>notes</u> : rate reduction. Reduces the corporate income tax rate from 6 percent to 5.75 percent for taxable years beginning on and after January 1, 2010.			
HB 869 - Cline -	(H) Committee for Courts of	(H) Printed as engrossed	02/01/10

Masks; prohibition on wearing in certain places, exception.	Justice	10102334D-E	
HB 874 - Cline - Cigarette tax; changes time for affixing tax stamps to cigarette packs.	(H) Committee on Finance	(H) Reported from Finance (21-Y 0-N)	02/01/10
notes : when to affix tax stamps. Changes the time for affixing tax stamps to cigarette packs from one business day after receipt of unstamped cigarettes to prior to shipping to other wholesale dealers or retail outlets.			
HB 885 - Athey - Concealed weapons; person may carry a handgun in a motor vehicle or boat if secured in compartment.	(H) Committee on Militia, Police and Public Safety	(H) Subcommittee recommends reporting with amendment(s) (3-Y 1-N)	01/28/10
notes : Creates a new exemption to the general prohibition against carrying concealed weapons by allowing a person who may lawfully possess a firearm to carry a handgun in a private motor vehicle or boat if the handgun is secured in a container or compartment.			
HB 886 - Athey - Firearms, ammunition, etc.; those manufactured and retained in State not subject to federal law.	(H) Committee on Militia, Police and Public Safety	(H) Assigned MPPS sub: #1	01/28/10
notes : Declares that firearms, firearms accessories, and ammunition made in Virginia and retained within the borders of Virginia are not subject to federal law or regulation under the authority of Congress to regulate interstate commerce.			
HB 889 - Barlow - Cigarette tax, local; authorizes any county to impose.	(H) Committee on Finance	(H) Subcommittee recommends passing by indefinitely	01/20/10
notes : counties. Authorizes any county to impose a local cigarette tax at a rate not to exceed \$0.05 per pack or the amount levied under state law, whichever is greater. It also repeals the Code section that allows only certain counties to impose a local cigarette tax.			
HB 896 - Comstock - Income tax, corporate; rate reduction for small businesses.	(H) Committee on Finance	(H) Assigned Finance sub: #3	01/25/10

notes: rate reduction for small businesses. Reduces the corporate income tax rate from six percent to 5.4 percent for small businesses, which are businesses defined as having 250 or fewer employees. The bill also requires the Governor to appoint a special Small Business Job Growth Commission to identify and make recommendations to remove state barriers for business formation and investment by November 1, 2010.

<u>HB 932</u> - <u>Bell, Robert B.</u> - Identity theft; distribution of information acquired through theft is a Class 4 felony.	<u>(H) Committee for Courts of Justice</u>	(H) Referred to Committee for Courts of Justice	01/13/10
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notes: Provides that the distribution of information acquired through identity theft is a Class 4 felony. The bill also punishes the new crime of aggravated identity theft, when a person, through identity theft, with the intent to defraud, for his own use or the use of a third person, (i) obtains money, goods, or services through the use of identifying information of such other person; (ii) obtains, records, or accesses identifying information while impersonating a law-enforcement officer or an official of the government of the Commonwealth; or (iii) avoids summons, arrest, prosecution, or impedes a criminal investigation, as a Class 5 felony. The bill also punishes obtaining identification documents in such other person's name as a Class 1 misdemeanor, and retains Class 1 misdemeanor punishment for obtaining, recording, or accessing identifying information which is not available to the general public that would assist in accessing financial resources, obtaining identification documents, or obtaining benefits of such other person. The bill eliminates identity theft provisions that fix punishment based on the number of records accessed or obtained, or the amount of money involved.

<u>HB 939</u> - <u>Abbitt</u> - Insurance agents; continuing education program.	<u>(H) Committee on Commerce and Labor</u>	(H) Referred to Committee on Commerce and Labor	01/13/10
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notes: continuing education program. Requires that the guidelines governing appeals of actions by the insurance continuing education board allow any person aggrieved by an action of the board or program administrator to appeal a decision to the Bureau of Insurance and then to the State Corporation Commission. Currently only a licensee aggrieved by an action that has the potential to affect the licensee's status has the right to appeal decisions beyond the insurance continuing education board.

<u>HB 943</u> - <u>Landes</u> - Small Business Jobs Grant Fund; created.	<u>(H) Committee on General Laws</u>	(H) Assigned GL sub: #4 Professions/Occupations and Administrative Process	01/25/10
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notes: Establishes the Small Business Jobs Grant Program and Fund to be administered by the Department of Business Assistance (DBA). The purpose of the Fund is to provide grants to small businesses that create at least five new full-time positions within a 12-month period paying at least the prevailing average annual wage in the locality in which the business is

located. Grants will range between \$500 and \$2,000 per new full-time position based on the education, training and experience required. In awarding grants, priority must be given to small businesses creating new full-time positions in areas with an annual average unemployment rate of more than 125% of the statewide average unemployment rate.

HB 958 - Ingram - Check cashers; customer identification required, penalty.	(H) Committee on Commerce and Labor	(H) Continued to 2011 in Commerce and Labor	01/28/10
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notes: customer identification; penalty. Requires persons conducting business as check cashers to make copies of the item cashed and a valid identification document of the customer for every transaction. Records for each transaction are required to be retained for a period of one year and made available to law-enforcement officials. A violation of these requirements is a Class 1 misdemeanor.

HB 959 - Ingram - Check cashers; unlawful for person required to be registered thereas to fail to make copies of item.	(H) Committee for Courts of Justice	(H) Subcommittee recommends laying on the table	01/25/10
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notes: penalty. Makes it unlawful for a person required to be registered as a check casher to fail to (i) make copies of the item cashed and a valid identification document of the customer or thumbprint for every transaction or (ii) retain such copies for one year. A violation is punishable as a Class 3 misdemeanor.

HB 995 - Nutter - Firearms; purchaser may present military identification card or concealed handgun permit.	(H) Committee on Militia, Police and Public Safety	(H) Assigned MPPS sub: #1	01/21/10
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notes: required identification. Allows a prospective purchaser to present a current or retired military identification card or a concealed handgun permit in order to establish citizenship or lawful admission for permanent residence in order to purchase an assault firearm.

HB 1052 - Armstrong - Electric utilities; prevents temporary and interim increase of rates.	(H) Committee on Commerce and Labor	(H) Assigned C & L sub: #3 Special Subcommittee on Energy	01/29/10
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notes: temporary and interim increases. Prevents an electric public utility from changing its rates on an interim or temporary basis, and states that the scheduled rates of such a utility shall not be changed unless and until approved by the State Corporation Commission.

<p><u>HB 1054</u> - <u>Scott, J.M.</u> - Health insurance; coverage funded by localities.</p>	<p><u>(H) Committee on Counties, Cities and Towns</u></p>	<p>(H) Assigned CC & T sub: #1</p>	<p>01/21/10</p>
<p><u>notes</u>: Authorizes the governing body of any locality that self-funds a health insurance program for its officers and employees to extend coverage under such program to any other class of persons.</p>			
<p><u>HB 1094</u> - <u>Sickles</u> - Health insurance; mandated benefits for colorectal cancer screening.</p>	<p><u>(H) Committee on Commerce and Labor</u></p>	<p>(H) Referred to Committee on Commerce and Labor</p>	<p>01/13/10</p>
<p><u>notes</u>: mandated benefits for colorectal cancer screening. Prohibits a health insurance policy from requiring a separate copayment, coinsurance, or deductible for any diagnostic or surgical procedure performed in conjunction with and at the time of a colorectal cancer screening that involves the removal or collection of cells, tissue, or polyps for diagnostic or curative purposes.</p>			
<p><u>HB 1095</u> - <u>Sickles</u> - Individual health insurance coverage; sets parameters of period an individual is not covered.</p>	<p><u>(H) Committee on Commerce and Labor</u></p>	<p>(H) Assigned C & L sub: #2</p>	<p>01/27/10</p>
<p><u>notes</u>: COBRA period. Sets the parameters of the period an individual is not covered by health insurance as beginning the day after an individual's termination of coverage and ending when an application for coverage is submitted. When an application is submitted by mail, the date of the postmark is the date the application is submitted.</p>			
<p><u>HB 1111</u> - <u>Ebbin</u> - School calendar; certain school divisions granted waiver from regular opening schedule.</p>	<p><u>(H) Committee on Education</u></p>	<p>(H) Tabled in Education</p>	<p>02/01/10</p>
<p><u>notes</u>: Adds to the "good cause" circumstances for which school divisions may be granted a waiver from the regular post-Labor Day school opening schedule a school division containing one or more elementary schools that are receiving Title I funding under the federal Elementary and Secondary Education Act. The waiver will apply only to the elementary schools receiving such funding.</p>			
<p><u>HB 1115</u> - <u>Ebbin</u> - Virginia Waterways Clean Up and Consumer Choice Act;</p>	<p><u>(H) Committee on Finance</u></p>	<p>(H) Assigned Finance sub: #3</p>	<p>01/25/10</p>

paper and plastic bag fee.			
<p><u>notes</u>: Imposes a fee of \$0.05 on paper and plastic bags used by purchasers to carry tangible personal property from the place of purchase. Durable, reusable plastic bags and bags used for ice cream, meat, fish, poultry, leftover restaurant food, newspapers, dry cleaning and prescription drugs are exempt from the fee. Retailers are allowed to retain \$0.01 of the \$0.05 fee or \$0.02 if the retailer has a customer bag credit program. The revenues raised by the fee will be deposited in the Virginia Water Quality Improvement Fund. Failure to collect and remit the fee will result in fines of \$250, \$500, and \$1,000 for the first, second, third and thereafter offenses.</p>			
<p><u>HB 1130</u> - <u>Keam</u> - Health insurance purchasing pool; SOA to prepare a program design for businesses with 50 or fewer.</p>	<p><u>(H) Committee on Commerce and Labor</u></p>	<p>(H) Assigned C & L sub: #2</p>	<p>01/21/10</p>
<p><u>notes</u>: Directs the Secretary of Administration, in cooperation with the Bureau of Insurance, to prepare a program design for a voluntary, public-private health insurance purchasing pool for businesses with 50 or fewer employees. The Secretary is directed to work with representatives of health insurers, insurance agents, health care providers, and small businesses in designing the program. The program design is required to be completed by January 1, 2012.</p>			
<p><u>HB 1138</u> - <u>Morgan</u> - Food and beverage tax; all counties may impose.</p>	<p><u>(H) Committee on Finance</u></p>	<p>(H) Subcommittee recommends passing by indefinitely</p>	<p>01/27/10</p>
<p><u>notes</u>: all counties may impose. Allows all counties to impose the local food and beverage tax without a referendum, provided the revenues from the tax are used to reduce the county's real property tax rate. The new provisions apply to those counties that impose the tax for the first time or increase the meals tax rate on or after July 1, 2010.</p>			
<p><u>HB 1150</u> - <u>Scott, J.M.</u> - Retail Sales and Use Tax; any county or city to levy additional tax for education purposes.</p>	<p><u>(H) Committee on Finance</u></p>	<p>(H) Assigned Finance sub: #1</p>	<p>01/18/10</p>
<p><u>notes</u>: optional local tax for education. Authorizes any county or city to levy an additional local sales and use tax at a rate of one-half percent with all revenue generated from such tax to be used for education purposes.</p>			
<p><u>HB 1153</u> - <u>Scott, J.M.</u> - Motor fuels tax; converts rates of</p>	<p><u>(H) Committee on Finance</u></p>	<p>(H) Assigned Finance sub: #2</p>	<p>01/19/10</p>

taxation from cents per gallon to percentage rates.			
<p><u>notes</u>: Converts the rates of taxation on motor fuels from cents per gallon to percentage rates. The percentage rates shall be calculated by the Commissioner of the Department of Motor Vehicles in an amount that will most closely yield the amount of cents per gallon being charged on the applicable motor fuel prior to the effective date of the bill. Thereafter, the percentage rates would not change, but would be applied against the average price per gallon of the fuel, less federal and state taxes, as determined by the Commissioner of the Department of Motor Vehicles over rolling six-month periods, to determine the cents to be charged.</p>			
<p><u>HB 1155</u> - <u>Brink</u> - Income tax, state; imposes surtax on taxable income to provide new source of revenue for localities.</p>	<p><u>(H) Committee on Rules</u></p>	<p>(H) VOTE: --- ENGROSSMENT (0-Y 97-N 1-A)</p>	<p>01/21/10</p>
<p><u>notes</u>: Imposes a state individual income tax surtax to provide a new source of revenue for localities to encourage them to essentially remove the tangible personal property tax on vehicles that currently qualify under the car tax relief program. The surtax on Virginia taxable income would be imposed at the rate of 0.5% for tax year 2010 and at the rate of 1% for subsequent tax years.</p> <p>Revenues from the surtax would be dedicated to a new Virginia Personal Property Tax Replacement Fund ("Fund"). For tax year 2010, the car tax relief program would operate as under current law, except that annual \$950 million to localities would be paid from the Fund.</p> <p>For tax years 2011 and thereafter, localities that impose a personal property tax rate on qualifying vehicles not exceeding \$0.000001 per \$100 of assessed value would receive all of the net revenues from the surtax. Allocations to each such locality would be based upon its pro rata share of the personal property tax relief paid in tax year 2009. In addition, localities that have tax rates not exceeding \$0.000001 for tax year 2011 would receive an additional payment for tax year 2010 that represents the remaining net revenues from the new surtax after the payment of the \$950 million state personal property tax relief payment.</p>			
<p><u>HB 1182</u> - <u>Phillips</u> - Health insurance; mandated coverage for telemedicine services.</p>	<p><u>(H) Committee on Commerce and Labor</u></p>	<p>(H) Referred to Committee on Commerce and Labor</p>	<p>01/13/10</p>
<p><u>notes</u>: mandated coverage for telemedicine services. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the cost of telemedicine services when the services are appropriately provided through such means. "Telemedicine services" means the use of interactive audio, video, or other</p>			

telecommunications technology by a health care provider to deliver health care services at a site other than the site where the patient is located, including the use of electronic media for consultation relating to the health care diagnosis or treatment of the patient.

<p>HB 1237 - Armstrong - Economic development incentive rates; electric utilities to offer service to certain customers.</p>	<p>(H) Committee on Commerce and Labor</p>	<p>(H) Assigned C & L sub: #3 Special Subcommittee on Energy</p>	<p>01/29/10</p>
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notes: Requires certain incumbent electric utilities to offer electric service at an economic development incentive rate to certain nonresidential customers. To be eligible for an economic development incentive rate, a customer shall have a new load of at least 1,000 KW and either increase employment by at least 75 full-time equivalent employees per 1,000 KW of new load or make a capital investment of \$400,000 per 1,000 KW of new load. An economic development incentive rate provides eligible customers the option of either (i) a monthly credit of \$6 per KW for three years or (ii) a monthly credit of \$6 per KW for the first year, reduced by \$0.75 per KW in each of the following years of an eight-year term.

<p>HB 1317 - Marshall, R.G. - Governor's Development Opportunity Fund; funds to financial institutions for small business loans.</p>	<p>(H) Committee on General Laws</p>	<p>(H) Referred to Committee on General Laws</p>	<p>01/22/10</p>
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notes: Governor's Development Opportunity Fund; small business loans. Provides for the transfer of up to \$2 million from the Governor's Development Opportunity Fund to a qualified community development financial institution, for the purpose of making commercial loans and investments to start of expand small businesses, when the Fund balance is greater than \$12 million.

<p>HB 1325 - Albo - ABC; ABC Board to conduct a study that assesses economic impact of marking up spirits, report.</p>	<p>(H) Committee on General Laws</p>	<p>(H) Referred to Committee on General Laws</p>	<p>01/22/10</p>
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notes: Alcoholic beverage control; collection of taxes, etc.; markup on spirits. Requires the ABC Board, before implementing any increase in the markup of spirits, to conduct a study that assesses the economic impact of any such increase on its sales and profits and issue a written report detailing its findings. The bill requires the economic impact analysis to include (i) the impact of any increase on manufacturers of spirits sold by the ABC Board, on mixed beverage licensees, and on consumers; and (ii) comparisons of spirits pricing by the Board with wholesale and retail outlets in border states and on military installations located in the Commonwealth. The bill requires the ABC Board to provide interested parties,

including manufacturers, mixed beverage licensees, and consumers, an opportunity to comment on the economic impact analysis before the ABC Board issues a final report. The bill requires the ABC Board to prepare and forward to the Governor and the General Assembly a copy of its final report.

<p>HB 1329 - Lingamfelter - Motor fuels sales tax; defines gross sales and sales price for purposes of tax in Northern Virginia.</p>	<p>(H) Committee on Finance</p>	<p>(H) Assigned Finance sub: #1</p>	<p>01/26/10</p>
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notes: State motor fuels sales tax in Northern Virginia. Defines "gross sales" and "sales price" for purposes of the state motor fuels sales tax in Northern Virginia. "Gross sales" means the same as its definition in provisions of the Retail Sales and Use Tax and would exclude separately stated federal diesel excise taxes. "Sales price" means the same as its definition in provisions of the Retail Sales and Use Tax but would include all transportation and delivery charges, even if separately stated.

<p>HB 1334 - Morgan - Littering; prohibits disposal of cigarette butts on public property.</p>	<p>(H) Committee on General Laws</p>	<p>(H) Assigned GL sub: #3 ABC/Gaming</p>	<p>02/01/10</p>
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notes: Littering; cigarette butts. Prohibits disposal of cigarette butts on public property. Any person convicted of violation shall be guilty of a misdemeanor punishable by a fine of up to \$250. However, in lieu of appearing in court, the violator may mail or personally deliver payment of \$75 to the clerk of the court.

<p>HB 1343 - Gilbert - Ephedrine and pseudoephedrine; Board of Pharmacy to establish program to implement tracking sales.</p>	<p>(H) Committee for Courts of Justice</p>	<p>(H) Assigned Courts sub: #1 Criminal</p>	<p>01/27/10</p>
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notes: Tracking of ephedrine and pseudoephedrine; pilot program. Requires the Board of Pharmacy, in conjunction with local law-enforcement officials, to establish a mandatory pilot program in the Counties of Page, Clarke, Frederick, Rockingham, Shenandoah, and Warren to implement an electronic recordkeeping system of the transactions involving the distribution of ephedrine and pseudoephedrine as required by state law. This bill is contingent upon funds being provided by a third party or agency, such that there will be no cost to participating pharmacies.

	Committee	Last action	Date
<p>HB 1343 - Gilbert -</p>	<p>(H) Committee for</p>	<p>(H) Assigned Courts sub:</p>	<p>01/27/10</p>

Ephedrine and pseudoephedrine; Board of Pharmacy to establish program to implement tracking sales.	Courts of Justice	#1 Criminal	
<p><u>notes</u>: Tracking of ephedrine and pseudoephedrine; pilot program. Requires the Board of Pharmacy, in conjunction with local law-enforcement officials, to establish a mandatory pilot program in the Counties of Page, Clarke, Frederick, Rockingham, Shenandoah, and Warren to implement an electronic recordkeeping system of the transactions involving the distribution of ephedrine and pseudoephedrine as required by state law. This bill is contingent upon funds being provided by a third party or agency, such that there will be no cost to participating pharmacies.</p>			
HB 1347 - Gear - Sales and use and BPOL taxes; exemptions for certain aviation companies.	(H) Committee on Finance	(H) Assigned Finance sub: #2	01/26/10
<p><u>notes</u>: Sales and use tax and BPOL tax exemptions; aviation companies. Provides a sales and use tax exemption and a business, professional, and occupational license tax exemption for aviation companies that facilitate and support the U.S. Department of Defense in active missions/sorties, simulations, and training of personnel.</p>			
HB 1349 - Byron - Virginia Free File program; Tax Commissioner to establish and model after federal Free File program.	(H) Committee on Finance	(H) Assigned Finance sub: #1	01/26/10
<p><u>notes</u>: Taxation; Virginia Free File program. Requires the Tax Commissioner to establish a Virginia Free File program, modeled after the federal Free File program, no later than December 31, 2010. The new Virginia Free File program would be offered to certain lower-income taxpayers.</p>			
HB 1350 - Peace - Post-Disaster Anti-Price Gouging Act; time of disaster.	(H) Committee on Commerce and Labor	(H) Referred to Committee on Commerce and Labor	01/22/10
<p><u>notes</u>: Virginia Post-Disaster Anti-Price Gouging Act. Shortens the potential duration of the period during which the requirements of the Virginia Post-Disaster Anti-Price Gouging Act are in effect from 30 days after the occurrence of a disaster or a renewal or extension of a state of emergency to 10 days after such events. However, if the state of emergency is extended or renewed for longer than 10 days, the longer period will apply.</p>			
HB 1351 - Hope - Indoor Clean Air Act; smoking in public buildings prohibited, penalty.	(H) Committee on General Laws	(H) Referred to Committee on General Laws	01/22/10

notes: Virginia Indoor Clean Air Act; smoking in public buildings prohibited; penalty. Prohibits smoking in any building owned or leased by the Commonwealth or any agency thereof or any locality. The bill contains numerous technical amendments.

<u>HB 1356</u> - <u>Lewis</u> - License fees and taxes, local; exempts campgrounds, bed and breakfast establishments, etc.	(H) Committee on Finance	(H) Assigned Finance sub: #2	01/26/10
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notes: Local license fees and taxes; exemptions. Adds the following businesses to those businesses exempt from local license fees and taxes: (i) campgrounds, (ii) bed and breakfast establishments, and (iii) transient rental houses.

<u>HB 1359</u> - <u>Keam</u> - Income tax, corporate; tax credit for investments in machinery or equipment by small businesses.	(H) Committee on Finance	(H) Assigned Finance sub: #3	01/26/10
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notes: Income tax; Small business investment tax credit. Establishes a tax credit for investments in machinery or equipment by small businesses. The credit would equal 20 percent of investment amount. The Department of Taxation would administer the tax credits. Taxpayers would not be allowed more than \$10,000 in tax credit for any taxable year in which an incremental investment in machinery or equipment was made. Any unused tax credit would be allowed to be carried forward for five taxable years. The credit would be effective for taxable years 2010, 2011, and 2012.

<u>HB 1360</u> - <u>Keam</u> - Income tax, state; telework expenses tax credit.	(H) Committee on Finance	(H) Subcommittee recommends incorporating (HB47-Lingamfelter) (4-Y 0-N)	01/29/10
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notes: Income tax; telework expenses tax credit. Provides a tax credit to employers for expenses incurred in allowing employees to telework pursuant to a signed telework agreement. An employer would be eligible for a credit of up to \$800 per teleworking employee, depending on the number of days per month an employee will telework and whether the employer's primary place of business is located in a nonattainment area under the federal Clean Air Act.

<u>HB 1362</u> - <u>Pollard</u> - Motor fuels tax; DMV Commissioner to revoke licenses issued to persons violating tax provisions.	(H) Committee on Finance	(H) Assigned Finance sub: #2	01/26/10
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notes: Motor fuels tax; revocation of license. Allows the DMV Commissioner to revoke licenses issued to persons in accordance with motor fuels tax law who are found guilty of violating or of noncompliance with any of the motor fuels tax provisions

HB 1367 - LeMunyon - Health insurance; coverage for treatment of autism spectrum disorder.	(H) Committee on Commerce and Labor	(H) Assigned C & L sub: #1	01/26/10
notes : Health benefits plans providing coverage for treatment of autism spectrum disorder offered by foreign health insurers. Authorizes a foreign health insurer to sell to persons in Virginia a health benefits plan providing coverage for treatment for autism spectrum disorder if the insurer offers a health benefits plan with substantially identical coverage for treatment for autism spectrum disorder in its domiciliary state.			
HB 1368 - LeMunyon - Vehicle engine idling; allowed for unattended motor vehicles on residential streets, exceptions.	(H) Committee on Transportation	(H) Assigned Transportation sub: #2	01/31/10
notes : Vehicle engine idling. Allow engine idling of unattended motor vehicles on residential streets maintained by the Commonwealth if the idling is for the purpose or warming or cooling the interior of the vehicle			
HJ 28 - Purkey - Small businesses; joint subcommittee to study state laws and regulations that impede.	(H) Committee on Rules	(H) Subcommittee recommends laying on the table	01/28/10
notes : This legislation establishes a joint subcommittee to study whether state laws and regulations impede the ability of small businesses to act collectively in procuring health insurance. The study shall propose recommendations for legislation to eliminate any barriers created by state laws and regulations found to be so impeding small businesses.			
HJ 136 - Bulova - Welcome Home Vietnam Veterans Day; designating as March 30, 2010, & each succeeding year thereafter.	(H) Committee on Rules <hr/> (S) Committee on Rules	(S) Referred to Committee on Rules	01/26/10
notes : Designates March 30, in 2010 and in each succeeding year, as Welcome Home Vietnam Veterans Day in Virginia to celebrate the service and numerous contributions of the Commonwealth's Vietnam-era veterans and to coincide with the national observance of the day.			
SB 27 - Puller - Warranty registration cards; prohibits seller from conditioning coverage or performance of warranty.	(S) Committee on Commerce and Labor	(S) Read third time and passed Senate (40-Y 0-N)	01/29/10
notes : Prohibits a seller from conditioning the coverage or performance of a warranty, in			

connection with the sale of personal, family, or household goods, upon the purchaser's returning a warranty registration card, or from providing that the duration of a warranty is dependent upon the return of a warranty registration card. These prohibitions do not apply if the requirement that the purchaser return a warranty registration card is conspicuously disclosed in any advertising and marketing materials that reference the goods' warranty. A seller may use warranty registration cards as a suggested method of proof of the date the goods were purchased. A violation constitutes a prohibited practice under the Virginia Consumer Protection Act.

SB 37 - Miller, Y.B. - License plates, special; issuance to those bearing legend: BUY LOCAL.	(S) Committee on Transportation	(S) Referred to Committee on Transportation	01/04/10
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notes: BUY LOCAL. Authorizes the issuance of revenue-sharing special license plates bearing the legend: BUY LOCAL. The annual surcharge for these plates would be \$25, instead of the standard \$10 for most other nonrevenue-sharing special license plates. For each set of plates issued after the first 1,000 sets, \$15 will go to the Retail Alliance Foundation to support its programs and activities in Virginia.

SB 57 - Martin - RS&UT; dealers selling and installing countertops shall be deemed retailers for purposes thereof.	(S) Committee on Finance	(S) Read third time and passed Senate (40-Y 0-N)	01/29/10
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notes: This legislation provides that dealers selling and installing countertops shall be deemed retailers for purposes of the sales and use tax. As a retailer, the dealer would be required to collect the tax from the customer. Under current law, dealers selling and installing countertops are deemed to be the ultimate users and consumers of the countertops and pay the sales and use tax instead of collecting it from customers.

Under current law, dealers selling and installing fences, venetian blinds, window shades, awnings, storm windows and doors, locks and locking devices, floor coverings, cabinets, kitchen equipment, and window or air conditioning units are deemed to be retailers and collect the sales and use tax from customers as opposed to paying it. The bill would provide the same tax treatment to dealers selling and installing countertops.

SB 64 - Lucas - Signs; provides local government authority to regulate.	(S) Committee on Local Government	(S) Referred to Committee on Local Government	01/04/10
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notes: Provides that a zoning ordinance may include provisions for the regulations of signs in the highway rights of way. Localities may also adopt an ordinance in order to control signs within any highway rights of way and to control local enforcement of such signage. If a locality enacts an ordinance to regulate signs and also authorizes volunteers to enforce the provisions of such an ordinance, the volunteer, and any local government employee, will be personally liable to the owner of the signs for any damage that may result from such

enforcement. Additionally, the Commonwealth Transportation Commissioner may enter into agreements with any locality, instead of just Fairfax County, authorizing local law-enforcement agencies to act as agents of the Commissioner for purposes of this legislation. Finally, this legislation limits the definition of excavation to not include installation of a sign that is installed by pushing metal, plastic or wooden poles in the ground.

SB 70 - McEachin - Criminal conviction record; person convicted of certain offenses to petition for expungement.	(S) Committee for Courts of Justice	(S) Assigned Courts sub: Criminal	01/12/10
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notes: Allows a person convicted of certain criminal offenses to petition to have his conviction expunged after a five-year period has expired following the conviction, upon a showing that his opportunities for employment, education, or professional licensure are prejudiced by the existence of the criminal record. Expungement would not be available for someone convicted of a violent felony, a DUI-related offense, an offense for which registration on the sex offender registry is required, or domestic violence.

SB 77 - Reynolds - School calendar; removes restrictions for post-Labor Day school opening.	(S) Committee on Education and Health	(S) Passed by for the day	02/01/10
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notes: Opening of the school year; good cause. Removes the restriction that a Board of Education waiver from the post-Labor Day school opening requirement based on a school division's dependence on another school division's instructional program shall only apply to the opening date for those schools where such instructional program is dependent on and provided in one or more elementary or middle or high schools of another school division that qualifies for a waiver.

SB 97 - Quayle - Line of Duty Death and Health Benefits Trust Fund; funding from additional surcharge.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/06/10
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notes: definitions; funding for the Line of Duty Death and Health Benefits Trust Fund. Includes local employees disabled on or after January 1, 1966, in the definition of "disabled employee." The bill also provides for funding through a five-cent surcharge for E-911 service.

SB 108 - McDougle - Pawnbrokers; required to file daily reports electronically with local law enforcement.	(S) Committee on General Laws and Technology	(S) Read second time and engrossed	02/01/10
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notes: Requires pawnbrokers to file daily reports electronically with local law enforcement.

SB 114 - Petersen - Motor fuels taxes; rate increase or	(S) Committee on Finance	(S) Referred to Committee on Finance	01/06/10
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decrease each year using fuel efficiency index.			
<p><u>notes</u>: indexing of tax rates. Increases or decreases each year the rates of Virginia's fuels taxes using a fuel efficiency index. The bill would define the fuel efficiency index as the quotient that is obtained when using as the numerator the total annual vehicle miles traveled in the Commonwealth for the relevant year and using as the denominator the total gallons of motor fuel consumed for highway use in the Commonwealth for the relevant year. The numerator and denominator would be the corresponding amounts as published by the Federal Highway Administration of the United States Department of Transportation.</p> <p>The bill would establish 2007 as the base year for the fuel efficiency index. Thus, the percentage change in the fuel efficiency index between the current year and 2007, the base year, would determine the annual percentage increase or decrease in the rates of Virginia's fuels taxes. Each December the Commissioner of the Department of Motor Vehicles would compute the adjusted rates of fuels taxes.</p> <p>Currently, Virginia's fuels taxes are fixed at the rate of \$0.175 per gallon for each gallon of gasoline, gasohol, and diesel fuel.</p>			
<p><u>SB 123</u> - <u>Petersen</u> - Stormwater management; developer of single lot to provide where redevelopment is proposed.</p>	<p><u>(S) Committee on Local Government</u></p>	<p>(S) Referred to Committee on Local Government</p>	<p>01/06/10</p>
<p><u>notes</u>: stormwater management. Requires the developer of a single lot to provide stormwater management where substantial redevelopment of the lot is proposed. Defines %93substantial redevelopment%94 as land-disturbing activities that occur on more than 15 percent of the square footage of any single lot.</p>			
<p><u>SB 130</u> - <u>Stosch</u> - Retail Sales and Use Tax; exemptions include certain computer equipment and enabling software.</p>	<p><u>(S) Committee on Finance</u></p>	<p>(S) Referred to Committee on Finance</p>	<p>01/08/10</p>
<p><u>notes</u>: certain computer equipment and enabling software. Expands the sales and use tax exemption for the purchase by certain entities of particular computer equipment by including enabling software, and clarifies what enabling hardware is covered under the current exemption by specifying that it includes chillers and backup generators. The expansion and clarification apply to purchases made on or after July 1, 2009, but prior to June 30, 2020. The bill also changes one of the conditions for the exemption by changing from July 1, 2009, to January 1, 2009, the date after which an entity is required to make a new capital investment of at least \$150 million to be eligible for the exemption.</p>			
<p><u>SB 238</u> - <u>Watkins</u> - Enhanced Public Safety Telephone Services Act;</p>	<p><u>(S) Committee on Commerce and Labor</u></p>	<p>(S) Referred to Committee on Commerce and Labor</p>	<p>01/12/10</p>

<p>certain requirements for CMRS resellers.</p>			
<p><u>notes</u>: CMRS resellers. Clarifies that CMRS resellers are required to collect the wireless E-911 surcharge on all sales by retailers of prepaid CMRS service. The measure defines CMRS resellers as providers of mobile telecommunication services that resell, use a component part of, or integrate the purchased services into a mobile telecommunication service. An obsolete provision regarding payments for fiscal year 2005 is deleted.</p>			
<p><u>SB 253</u> - <u>Reynolds</u> - School calendar; requirement that school begin after Labor Day may be waived by Board of Education.</p>	<p><u>(S) Committee on Education and Health</u></p>	<p>(S) Read second time and engrossed</p>	<p>02/01/10</p>
<p><u>notes</u>: Opening of the school year. Provides that the requirement that the school calendar begin after Labor Day may be waived by the Board of Education, provided the school board certifies that it meets one of the good cause requirements in current law.</p>			
<p><u>SB 340</u> - <u>Hanger</u> - Retail Sales and Use Tax Act; conforms State to provisions of Streamlined Sales & Use Tax Agreement.</p>	<p><u>(S) Committee on Finance</u></p>	<p>(S) Referred to Committee on Finance</p>	<p>01/12/10</p>
<p><u>notes</u>: Virginia Retail Sales and Use Tax Act. Conforms the Commonwealth's sales and use tax laws to the provisions of the Streamlined Sales and Use Tax Agreement</p>			
<p><u>SB 408</u> - <u>Vogel</u> - Concealed weapons; person may carry a handgun in a motor vehicle or boat if secured in compartment.</p>	<p><u>(S) Committee for Courts of Justice</u></p>	<p>(S) Referred to Committee for Courts of Justice</p>	<p>01/13/10</p>
<p><u>notes</u>: Creates a new exemption to the general prohibition against carrying concealed weapons by allowing a person who may lawfully possess a firearm to carry a handgun in a private motor vehicle or vessel if the handgun is locked in a container or compartment.</p>			
<p><u>SB 412</u> - <u>Vogel</u> - School calendar; local school boards to set first day of school.</p>	<p><u>(S) Committee on Commerce and Labor</u></p>	<p>(S) Rereferred to Commerce and Labor</p>	<p>02/01/10</p>
<p><u>notes</u>: Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education might grant waivers of this requirement.</p>			
<p><u>SB 417</u> - <u>Vogel</u> - Individual health insurance coverage; resident of State shall not be required to obtain a policy.</p>	<p><u>(S) Committee on Commerce and Labor</u></p>	<p>(S) Read third time and passed Senate (23-Y 17-N)</p>	<p>02/01/10</p>

[notes](#): requirement to obtain. Provides that a resident of the Commonwealth shall not be required to obtain or maintain a policy of individual insurance coverage. This applies regardless of whether the person has or is eligible for health insurance coverage under any policy or program provided by or through his employer or a plan sponsored by the Commonwealth or the federal government. The measure also states that no provision of Title 38.2 renders a resident liable for any penalty, assessment, fee, or fine as a result of his failure to procure or obtain health insurance coverage.

SB 441 - Saslaw - Wireless E-911 charges; establishes rate and procedures for collection and remittance by sellers.	(S) Committee on Commerce and Labor	(S) Referred to Committee on Commerce and Labor	01/13/10
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[notes](#): collection by retailers. Establishes the rate and procedures for the collection and remittance of prepaid wireless E-911 charges by sellers of prepaid wireless service in the Commonwealth. The bill would establish a charge of \$0.50 per retail purchase of prepaid wireless services that allow access to the 911 system, with such charge also adjusted proportionately with any change to the wireless E-911 surcharge on postpaid wireless services. The Department of Taxation would be required to establish registration and payment procedures with respect to prepaid wireless E-911 charges that are substantially similar to those applicable to the sales tax. Retail sellers would be allowed to retain a discount of five percent of collected prepaid wireless E-911 charges. The provisions of the bill would apply to retail transactions occurring on or after January 1, 2011.

SB 443 - Obenshain - Alcoholic beverage control; privatization of ABC stores.	(S) Committee on Finance	(S) Rereferred to Finance	01/22/10
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[notes](#): privatization of ABC stores. Provides for the auction of "package store" licenses to authorize the retail sale of alcoholic beverages for off-premises consumption. The bill also requires the ABC Board to sell or transfer all interest in real property utilized in the wholesale and retail sale of alcoholic beverages. The bill requires the ABC Board to set a fixed number of licenses for all localities, which shall be at a minimum one license for each locality of the Commonwealth and shall not exceed one license per 10,000 residents of the locality. The initial issuance of licenses by the Board would be through regional auctions beginning July 1, 2011, which may also be conducted through the Department's publicly accessible website. The annual state license tax on package store licenses would be the initial purchase price at auction plus an annual inflation adjustment based on the Consumer Price Index. The tax levied on spirits sold in package stores would be 25 percent of the price charged. This bill contains numerous technical amendments.

SB 452 - Whipple - Retail Sales and Use Tax; taxes on room rentals.	(S) Committee on Finance	(S) Read third time and passed Senate (40-Y 0-N)	02/01/10
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[notes](#): Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an agent or other party

to collect the retail sales and hotel taxes, the bill would require the agent or other party to separately state the taxes on the bill or invoice and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room.

SB 455 - Hurt - Veterans; permit fees waived when establishing small business.	(S) Committee on General Laws and Technology	(S) Referred to Committee on General Laws and Technology	01/13/10
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notes: veterans waiver. Requires state regulatory agencies to waive any fees for issuing a permit when the application is submitted by a veteran in connection with his establishment and operation of a small business.

SB 464 - Howell - Health insurance; mandated coverage for autism spectrum disorder.	(S) Committee on Commerce and Labor	(S) Referred to Committee on Commerce and Labor	01/13/10
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notes: mandated coverage for autism spectrum disorder. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorder in individuals from the date of diagnosis until they reach 10 years of age. This requirement does not apply to individual or small group policies, contracts, or plans, and will not apply to the state employees' health insurance plan until July 1, 2015.

SB 465 - Howell - Group life insurance coverage; extended to persons mutually agreed upon by insurer and policyholder.	(S) Committee on Commerce and Labor	(S) Referred to Committee on Commerce and Labor	01/13/10
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notes: Allows coverage under a group life insurance policy to be extended to insure any class of persons as may mutually be agreed upon by the insurer and the group policyholder.

SB 476 - Watkins - Cigarette tax; penalties for unstamped cigarettes.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/13/10
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notes: penalties for unstamped cigarettes. Creates more civil penalties for unstamped cigarettes as follows: \$2.50 per pack, up to \$500, for the first violation by a legal entity within a 36-month period; \$5 per pack, up to \$1,000, for the second violation by the legal entity within a 36-month period; and \$10 per pack, up to \$50,000, for the third or subsequent violation by the legal entity within a 36-month period. If willful intent exists to defraud the Commonwealth, the penalty is \$25 per pack, up to \$250,000. The same penalties apply to any person who sells, purchases, transports, receives, or possesses unstamped cigarettes.

SB 478 - Watkins - Tobacco products tax; changes tax on moist snuff.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/13/10
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notes: moist snuff. Changes the tax on moist snuff from 10 percent of the manufacturer's

sales price to \$0.17 per ounce, and dedicates each fiscal year 50 percent of the amount by which the total amount of revenue collected from the tobacco products tax exceeds the total amount of revenue collected from such tax on smokeless tobacco in the fiscal year ending June 30, 2010, to be used for the enforcement of tobacco-related laws. The bill also requires tobacco products manufacturers to file an annual report detailing the identity of each entity in the Commonwealth to which the manufacturer shipped tobacco products, and the amount of tobacco products shipped, by type of product and brand. The provisions of the bill would become effective on January 1, 2011.

<u>SB 494</u> - <u>Hurt</u> - Electronic communication or remote service; admissibility of records concerning.	(S) Committee for Courts of Justice	(S) Assigned Courts sub: Criminal	01/14/10
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notes: Provides that records of a provider of electronic communication service or remote computing service that pertain to a subscriber to or customer of such service are prima facie evidence of the facts therein stated if, at any trial or hearing, such records are accompanied by an affidavit made by the records' custodian affirming that the provider regularly prepares and relies upon such records in the transaction of its business.

<u>SB 507</u> - <u>Smith</u> - Lobbyist's disclosure statement; Secretary of Commonwealth to redesign form.	(S) Committee on Rules	(S) Assigned Rules sub: #1	02/01/10
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notes: lobbyist disclosure. Redesigns the Lobbyist's Disclosure Statement to clarify information requested and increase compliance. Among other things, the redesigned form (i) requires a lobbyist to include a list of all House of Delegates or Senate bills and procurement transactions for which he has lobbied as well as the expenses related to such lobbying activity and (ii) changes the manner in which entertainment and gift expenses are reported. The bill also provides that a lobbyist who files the statement electronically is not required to provide a paper copy. In addition, the bill provides that the Secretary of the Commonwealth shall review the lobbyist disclosure statements for completeness and accuracy and if a statement is not properly completed, the entire filing will be rejected and returned to the lobbyist. The lobbyist must submit a revised statement within 30 days from receipt of the returned statement.

<u>SB 525</u> - <u>Norment</u> - Cooperative Marketing Fund; dedicates revenues from soft drink excise tax and litter tax thereto.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/13/10
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notes: dedication of soft drink excise tax and litter tax revenues. Dedicates the revenues from the Commonwealth's soft drink excise tax and litter tax to the Cooperative Marketing Fund administered by the Virginia Tourism Authority. The first priority for moneys in the Cooperative Marketing Fund shall be as a match for private funds to be used for the promotion, marketing, and advertising of the Commonwealth's tourist attractions and locations. Current law dedicates the revenues from the two taxes to the Litter Control and

Recycling Fund.

SB 532 - McDougle - Masks; prohibition on wearing in certain places, exception.	(S) Committee for Courts of Justice	(S) Reported from Courts of Justice with amendment (13-Y 0-N)	02/01/10
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notes: public emergency exception. Adds to the existing exemptions in the section making it a Class 6 felony for a person over the age of 16 to wear a mask in public or on private property without the owner's written consent an exception when the Governor has declared a disaster or state of emergency in response to a public health emergency.

SB 535 - Newman - Mail order pharmacy; insurer not limited to a single provider for services.	(S) Committee on Commerce and Labor	(S) Referred to Committee on Commerce and Labor	01/13/10
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notes: freedom of choice. Authorizes accident and sickness insurers proposing to issue preferred provider policies or contracts, health maintenance organizations, corporations providing preferred provider subscription contracts, and health plans for state employees to select a single mail order pharmacy provider as an exclusive provider of mail order pharmacy services.

SB 542 - Colgan - Retail Sales & Use Tax; eliminates dealer discount for communications tax, state cigarette tax, etc.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/13/10
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notes: Eliminates the dealer discounts for the retail sales and use tax, communications sales and use tax, state cigarette tax, E-911 tax, tobacco products tax, tire recycling fee, fuels tax, and motor vehicle fuel sales tax.

SB 543 - Colgan - Income tax, state; imposes surtax on taxable income to provide new source of revenue for localities.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/13/10
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notes: Imposes a state individual income tax surtax to provide a new source of revenue for localities to encourage them to essentially remove the tangible personal property tax on vehicles that currently qualify under the car tax relief program. The surtax on Virginia taxable income would be imposed at the rate of 0.5% for tax year 2010 and at the rate of 1% for subsequent tax years.

Revenues from the surtax would be dedicated to a new Virginia Personal Property Tax Replacement Fund ("Fund"). For tax year 2010, the car tax relief program would operate as under current law, except that annual \$950 million to localities would be paid from the Fund.

For tax years 2011 and thereafter, localities that impose a personal property tax rate on qualifying vehicles not exceeding \$0.000001 per \$100 of assessed value would receive all of the net revenues from the surtax. Allocations to each such locality would be based upon its pro rata share of the personal property tax relief paid in tax year 2009. In addition, localities that have tax rates not exceeding \$0.000001 for tax year 2011 would receive an additional payment for tax year 2010 that represents the remaining net revenues from the new surtax after the payment of the \$950 million state personal property tax relief payment.

SB 548 - Barker - Restroom Access Act; created.	(S) Committee on Commerce and Labor	(S) Referred to Committee on Commerce and Labor	01/13/10
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notes: civil penalty. Requires a retail establishment that has a toilet facility for its employees to allow a customer to use that facility during normal business hours if the following conditions are met: (1) the customer requesting the use of the employee toilet facility suffers from an eligible medical condition or utilizes an ostomy device; (2) three or more employees of the retail establishment are working at the time the request is made; (3) the retail establishment does not normally make a restroom available to the public; (4) the employee toilet facility is not located in an area where providing access would create an obvious health or safety risk to the customer; and (5) a public restroom is not immediately accessible to the customer. The bill also provides that a retail establishment is not required to make any physical changes to an employee toilet facility. The operator of a retail establishment that violates this requirement is subject to a civil penalty of not more than \$100. A violation of this act does not subject the retail establishment to further liability to the customer.

SB 562 - Puckett - Unemployment benefits; eligibility of individuals part-time employed and in training programs.	(S) Committee on Commerce and Labor	(S) Referred to Committee on Commerce and Labor	01/13/10
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notes: part-time employment and training programs. Provides that certain individuals who have exhausted eligibility for unemployment benefits and who are enrolled in approved training programs are eligible for up to 26 weeks of additional benefits. The measure also provides that an individual who was employed part time during at least one-half of the weeks of work in the individual's base period is deemed to satisfy the requirement that he be available for work and actively seeking and unable to obtain suitable work if he is available for and actively seeking work that is comparable to his part-time work experience in his base period.

SB 578 - Norment - Cigarette tax, local; authorizes counties of James City and Spotsylvania to impose.	(S) Committee on Finance	(S) Read third time and passed Senate (26-Y 14-N)	01/29/10
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notes: Authorizes each county in the Commonwealth to impose a local cigarette tax at a rate

not to exceed the rate of the state cigarette tax, which is \$0.30 per pack (based upon 20 cigarettes in a pack). Currently, Arlington and Fairfax are the only counties that may impose a local cigarette tax, and at a rate not to exceed the rate of the state cigarette tax.

SB 622 - Wampler - Dental plans; reimbursement for health care services.	(S) Committee on Commerce and Labor	(S) Referred to Committee on Commerce and Labor	01/18/10
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notes: reimbursement for health care services. Prohibits a contract for the provision of health care between a dental plan and a dentist or oral surgeon that establishes the fee or rate that the dentist or oral surgeon is required to accept for the provision of health care services, or from requiring that a dentist or oral surgeon accept the reimbursement paid by the dental plan as payment in full for health care services. These prohibitions do not apply to covered health care services that a dentist or oral surgeon has agreed to provide on behalf of the dental plan to its insured, subscribers, or enrollees with an expectation of receiving payment, other than copayments or deductibles, directly or indirectly from the dental plan. The measure applies to contracts entered into, amended, extended, or renewed on or after July 1, 2010.

SB 628 - Wagner - Mixed beverage licensees; ABC Board to prescribe terms under which licensees may infuse spirits.	(S) Committee on Rehabilitation and Social Services	(S) Read third time and passed Senate (40-Y 0-N)	01/27/10
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notes: flavored distilled spirits. Requires the Alcoholic Beverage Control Board to prescribe the terms and conditions under which mixed beverage licensees may infuse, store, and sell flavored distilled spirits.

SB 660 - Hanger - RS&UT; requires dealer to register if sufficient business activity within State.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/21/10
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notes: sufficient contact. Provides that a dealer is presumed to be soliciting or transacting business in Virginia by an independent contractor, agent, or other representative if the dealer enters into an agreement with a resident of Virginia under which the resident, for a commission or other consideration, refers potential customers to the dealer if the cumulative gross receipts from sales by the dealer to purchasers in Virginia who are referred to the dealer by all residents with this type of agreement with the dealer are in excess of \$10,000 during the preceding four quarterly periods. Such dealer presumed to be soliciting or transacting business in Virginia would be required to register for retail sales and use tax purposes.

SB 671 - McDougle - Income tax, corporate; eliminates for taxable years beginning on or after July 1, 2012.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/21/10
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[notes](#): Corporate income tax. Eliminates Virginia's corporate income tax for taxable years beginning on or after July 1, 2012

[SB 675](#) - [Wampler](#) - Health insurance; mandated coverage for telemedicine services.

[\(S\) Committee on Commerce and Labor](#)

(S) Referred to Committee on Commerce and Labor

01/22/10

[notes](#): mandated coverage for telemedicine services. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the cost of telemedicine services when the services are appropriately provided through such means. "Telemedicine services" means the use of interactive audio, video, or other telecommunications technology by a health care provider to deliver health care services at a site other than the site where the patient is located, including the use of electronic media for consultation relating to the health care diagnosis or treatment of the patient. Decisions denying coverage of services provided via telemedicine will be subject to utilization review procedures

[SB 691](#) - [Obenshain](#) - Minority Business Enterprise, Department of; enhancement measures for small, etc., businesses.

[\(S\) Committee on General Laws and Technology](#)

(S) Referred to Committee on General Laws and Technology

01/22/10

[notes](#): enhancement or remedial measures. Requires state contracts awarded pursuant to enhancement or remedial measures implemented to enhance participation by small, women-owned, and minority-owned businesses to include a requirement that no more than 60 percent of the work be subcontracted to another contractor except under certain circumstances. The bill authorizes the Department of Minority Business Enterprise to investigate complaints that the business has violated the contract provision and authorizes the Director to revoke the business's certification as a small, women-owned, or minority-owned business for a period of one year upon determination that the contract provision has been violated. The bill also provides that any enhancement or remedial measure require the state agency to solicit bids from all qualified vendors and not be limited to bids submitted by small, women-owned, and minority-owned businesses. Under the bill, any enhancement or remedial measure cannot exceed three percent of the total value of all vendor contracts calculated against the costs of accepting the lowest competent and qualifying bids.

[SB 693](#) - [McWaters](#) - Major business facility job tax credit; reduces threshold amount of jobs that must be created.

[\(S\) Committee on Finance](#)

(S) Referred to Committee on Finance

01/22/10

[notes](#): Major business facility job tax credit. Reduces the threshold amount of jobs that must be created for the major business facility job tax credit to 25 jobs, regardless of the area in which the business is located. Increases the tax credit from \$1,000 to \$10,000, to be taken over 5 years. This bill also makes a technical amendment to § 2.2-4309 of the Code of Virginia

SB 701 - Marsden - Cigarettes; assessment fee on manufacturers that do not participate in Master Settlement Agreement.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/22/10
notes: assessment fee. Imposes a cigarette assessment fee on cigarette manufacturers that do not participate in the Master Settlement Agreement at the rate of \$0.0225 for each cigarette of such manufacturers that is sold, delivered, or consumed in the Commonwealth			
SB 706 - Houck - Health insurance; coverage for mental health and substance abuse services.	(S) Committee on Commerce and Labor	(S) Referred to Committee on Commerce and Labor	01/22/10
notes: coverage for mental health and substance abuse services. Removes the benefit limitations applicable to coverage for inpatient, partial hospitalization, and outpatient mental health and substance abuse services under large group health insurance policies. Under this measure, coverage for such services under large group policies will not be more restrictive than for other illness. The existing limitations will continue to apply to individual and small group policies			
SB 725 - Blevins - Retail Sales and Use Tax; exemptions include pet carriers to list of hurricane preparedness items.	(S) Committee on Finance	(S) Referred to Committee on Finance	01/25/10
SJ 88 - Vogel - Local government reorganization; joint subcommittee to study.	(S) Committee on Rules	(S) Assigned Rules sub: #1	01/18/10
notes: report. Establishes a nine-member joint subcommittee to recommend methods for modernizing local government structure and organization, including the potential benefits of regional solutions to local problems and regional delivery of local services. This is a two-year study.			
SJ 94 - Miller, J.C. - Motor fuel tax; joint subcommittee to study desirability of replacing with mileage-based fee.	(S) Committee on Rules	(S) Assigned Rules sub: Studies	01/18/10
notes: report. Establishes a joint subcommittee to study the desirability and feasibility of replacing the state motor fuel tax with a mileage-based fee predicated on vehicle-miles traveled in Virginia.			
SJ 94 - Miller, J.C. - Motor fuel tax; joint subcommittee to study desirability of replacing with	(S) Committee on Rules	(S) Assigned Rules sub: Studies	01/18/10

mileage-based fee.			
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[notes](#): report. Establishes a joint subcommittee to study the desirability and feasibility of replacing the state motor fuel tax with a mileage-based fee predicated on vehicle-miles traveled in Virginia.