

Bills	Committee	Last action	<u>Date</u>
HB 102 - Loupassi - Petit larceny; allows court to defer and dismiss first-offense charge.	(H) Committee for Courts of Justice	(H) Assigned Courts sub: Criminal	01/13/10
notes: 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.			
HB 178 - Morrissey - Seasonal or temporary workers; disqualifies employee from unemployment compensation benefits.	(H) Committee on Commerce and Labor	(H) Subcommittee recommends striking from docket (9-Y 0-N)	02/02/10
notes: 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.			
HB 181 - Morrissey - Gift cards; prohibits issuance of those that automatically expire as a result of passage of time.	(H) Committee on Commerce and Labor	(H) Tabled in Commerce and Labor	02/04/10
notes: 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 183 - Morrissey - Expungement of criminal record; allows a person to have his conviction expunged after 10 years.	(H) Committee for Courts of Justice	(H) Subcommittee recommends passing by indefinitely	01/20/10
notes: Allows a person convicted of a criminal offense to have his conviction expunged after 10 years have passed 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.			
HB 223 - Watts - Estate tax; dedication of revenues collected.	(H) Committee on Finance	(H) Subcommittee recommends laying on the table (5-Y 2-N)	02/08/10
notes: 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 - Merricks - School calendar; opening of 2010-2011 school year in Planning Districts 5 and 12.	(H) Committee on Education	(H) Subcommittee recommends laying on the table	01/21/10
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notes: 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 269 - Englin - Retail Sales and Use Tax; increases rate on motor fuels in Northern Virginia.	(H) Committee on Finance	(H) Subcommittee recommends laying on the table	02/03/10
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notes: 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 343 - Ware, O. - Community development authorities; permitted to request locality levy and collect special tax.	(H) Committee on Counties, Cities and Towns	(H) Subcommittee recommends laying on the table	02/03/10
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notes: 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) Subcommittee recommends striking from docket	02/04/10
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notes: 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 development authorities; permitted to request locality levy and collect special tax.	(H) Committee on Finance	(H) Subcommittee recommends striking from docket	02/03/10
<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. This legislation also contains technical amendments.			
HB 731 - Albo - School calendar; local school boards to set first day of school.	(H) Committee on Education	(H) Incorporated by Education (HB565-Tata)	01/27/10
<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.			
HB 771 - Cleaveland - School calendar; opening of school year in City of Roanoke.	(H) Committee on Education	(H) Subcommittee recommends laying on the table	01/21/10
<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.			
HB 790 - Villanueva - Defacement removal; localities to charge owners of occupied property actual cost.	(H) Committee on Counties, Cities and Towns	(H) Continued to 2011 in Counties, Cities and Towns	02/08/10
HB 794 - Tata - Home Access Businesses; establish standards, penalty.	(H) Committee on Commerce and Labor	(H) Stricken from docket by Commerce and Labor	01/26/10
<u>notes</u> : establish standards, penalty			
HB 799 - Greason - School calendar; local school boards responsible for determining opening of school year.	(H) Committee on Education	(H) Subcommittee recommends laying on the table	01/21/10
<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.

HB 817 - Abbott - Garnishment; deposit of earnings.	(H) Committee for Courts of Justice	(H) Subcommittee failed to recommend reporting (3-Y 6-N)	02/01/10
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notes: 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 823 - Surovell - District court; expungement of police and court records.	(H) Committee for Courts of Justice	(H) Subcommittee recommends laying on the table	01/25/10
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notes: Provides that if a person is charged with the commission of a misdemeanor criminal offense and is acquitted, or the charge is dismissed with prejudice, he may immediately, upon the acquittal or dismissal, orally request expungement of the police and court records relating to the charge. The person shall be assessed \$100 in costs. The court shall order the expungement, or deny it, on the same grounds as apply in a circuit court.

HB 828 - Surovell - Larceny; increases threshold amount of goods that determines petit larceny to grand larceny.	(H) Committee for Courts of Justice	(H) Subcommittee recommends passing by indefinitely (5-Y 2-N)	01/25/10
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notes: threshold amount. Increases from \$200 to \$750 the threshold amount of money or the value of the goods or chattel that the defendant must take before the crime rises from petit larceny to grand larceny. The same threshold is increased for certain property crimes.

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
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notes: 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 889 - Barlow - Cigarette tax, local; authorizes any county to impose.	(H) Committee on Finance	(H) Subcommittee recommends passing by indefinitely	01/20/10
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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 891 - Barlow - Cigarette tax, local; allows Isle of Wight County to levy tax.	(H) Committee on Finance	(H) Subcommittee recommends passing by indefinitely	01/20/10
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notes: Isle of Wight County. Allows Isle of Wight County to levy a local cigarette tax just

as Fairfax and Arlington Counties are authorized to levy the tax.

HB 893 - Barlow - Retail Sales and Use Tax; taxes on room rentals.	(H) Committee on Finance	(H) Subcommittee recommends laying on the table	01/27/10
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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.

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 1052 - Armstrong - Electric utilities; prevents temporary and interim increase of rates.	(H) Committee on Commerce and Labor	(H) Subcommittee recommends laying on the table (12-Y 0-N)	02/09/10
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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.

HB 1054 - Scott, J.M. - Health insurance; coverage funded by localities.	(H) Committee on Counties, Cities and Towns	(H) Stricken from docket by Counties, Cities and Towns	02/12/10
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notes: 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.

HB 1111 - Ebbin - School calendar; certain school divisions granted waiver from regular opening schedule.	(H) Committee on Education	(H) Tabled in Education	02/01/10
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notes: 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.

HB 1115 - Ebbin - Virginia Waterways Clean Up and Consumer Choice Act; paper and plastic bag fee.	(H) Committee on Finance	(H) Subcommittee recommends laying on the table	02/09/10
notes : 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.			
HB 1130 - Keam - Health insurance purchasing pool; SOA to prepare a program design for businesses with 50 or fewer.	(H) Committee on Commerce and Labor	(H) Subcommittee recommends laying on the table (9-Y 0-N)	02/04/10
notes : 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.			
HB 1138 - Morgan - Food and beverage tax; all counties may impose.	(H) Committee on Finance	(H) Subcommittee recommends passing by indefinitely	01/27/10
notes : 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.			
HB 1150 - Scott, J.M. - Retail Sales and Use Tax; any county or city to levy additional tax for education purposes.	(H) Committee on Finance	(H) Subcommittee recommends passing by indefinitely	02/03/10
notes : 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.			
HB 1153 - Scott, J.M. - Motor fuels tax; converts rates of taxation from cents per gallon to percentage rates.	(H) Committee on Finance	(H) Subcommittee recommends laying on the table	02/03/10

[notes](#): 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.

HB 1155 - Brink - Income tax, state; imposes surtax on taxable income to provide new source of revenue for localities.	(H) Committee on Rules	(H) VOTE: --- ENGROSSMENT (0-Y 97-N 1-A)	01/21/10
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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.

HB 1237 - Armstrong - Economic development incentive rates; electric utilities to offer service to certain customers.	(H) Committee on Commerce and Labor	(H) Subcommittee recommends laying on the table (12-Y 0-N)	02/09/10
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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.

HB 1362 - Pollard - Motor fuels tax; DMV Commissioner to revoke licenses issued to persons violating tax provisions.	(H) Committee on Finance	(H) Subcommittee recommends striking from docket	02/03/10
<u>notes</u> : 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 1368 - LeMunyon - Vehicle engine idling; allowed for unattended motor vehicles on residential streets, exceptions.	(H) Committee on Transportation	(H) Subcommittee recommends laying on the table	02/03/10
<u>notes</u> : 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
<u>notes</u> : 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.			
SB 70 - McEachin - Criminal conviction record; person convicted of certain offenses to petition for expungement.	(S) Committee for Courts of Justice	(S) Passed by indefinitely in Courts of Justice (13-Y 1-N)	02/08/10
<u>notes</u> : 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 125 - Petersen - Larceny; increases threshold amount of goods that determines petit larceny to grand larceny.	(S) Committee for Courts of Justice	(S) Failed to report (defeated) in Courts of Justice (5-Y 7-N)	01/18/10
<u>notes</u> : threshold amount. Increases from \$200 to \$210 the threshold amount of money or the value of the goods or chattel that the defendant must take before the crime rises from petit larceny to grand larceny. The same threshold is increased for certain property crimes.			

<p><u>SB 701</u> - <u>Marsden</u> - Cigarettes; assessment fee on manufacturers that do not participate in Master Settlement Agreement.</p>	<p><u>(S) Committee on Finance</u></p>	<p>(S) Stricken at request of Patron in Finance (14-Y 0-N)</p>	<p>02/11/10</p>
<p><u>notes:</u> 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</p>			