

HB 102 Petit larceny; allows court to defer and dismiss first-offense charge.

A BILL to amend and reenact §§ 16.1-69.48:1, 17.1-275.2, 17.1-275.7, 18.2-104, and 19.2-303.4 of the Code of Virginia, relating to deferred disposition for a first offense of petit larceny.

10100899D

Patron: Loupassi

01/05/10 House: Prefiled and ordered printed; offered 01/13/10 10100899D

01/05/10 House: Referred to Committee for Courts of Justice

01/13/10 House: Assigned Courts sub: Criminal

02/16/10 House: Left in Courts of Justice

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 119 Income tax, corporate; eliminates State tax for taxable years on and after January 1, 2010.

A BILL to repeal Articles 10 (§§ 58.1-400 through 58.1-422), 13 (§§ 58.1-432 through 58.1-439.12:02), and 20 (§§ 58.1-500 through 58.1-504) of Chapter 3 of Title 58.1 of the Code of Virginia, relating to corporate income tax.

10101115D

Patrons: Purkey, Carrico, Cole and Gilbert; *Senators:* McDougle and Obenshain

02/10/10 House: Committee substitute printed 10104651D-H1

02/10/10 House: Reported from Finance with substitute (14-Y 2-N)

02/10/10 House: Referred to Committee on Appropriations

02/14/10 House: Impact statement from TAX (HB119H1)

02/16/10 House: Left in Appropriations

Notes: Eliminates Virginia's corporate income tax for taxable years beginning on and after January 1, 2010.

HB 177 Seasonal tax preparation employees; disqualifies employee from receiving unemployment compensation.

A BILL to amend the Code of Virginia by adding a section numbered 60.2-617.1, relating to unemployment compensation benefits for seasonal employees of a tax preparation firm.

10103080D

Patron: Morrissey

01/07/10 House: Prefiled and ordered printed; offered 01/13/10 10103080D
01/07/10 House: Referred to Committee on Commerce and Labor
01/26/10 House: Assigned C & L sub: #1
01/27/10 House: Impact statement from DPB (HB177)
02/16/10 House: Left in Commerce and Labor

Notes: 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.

HB 178 Seasonal or temporary workers; disqualifies employee from unemployment compensation benefits.

A BILL to amend and reenact § 60.2-612 of the Code of Virginia, relating to eligibility of seasonal or temporary employees for unemployment compensation benefits.

10101722D

Patron: Morrissey

01/07/10 House: Referred to Committee on Commerce and Labor
01/26/10 House: Assigned C & L sub: #1
01/27/10 House: Impact statement from DPB (HB178)
02/02/10 House: Subcommittee recommends striking from docket (9-Y 0-N)
02/16/10 House: Left in Commerce and Labor

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 Gift cards; prohibits issuance of those that automatically expire as a result of passage of time.

A BILL to amend and reenact § 59.1-530 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 59.1-530.1, relating to gift cards; prohibited practices.

10101708D

Patrons: Morrissey and Ebbin

01/07/10 House: Prefiled and ordered printed; offered 01/13/10 10101708D
01/07/10 House: Referred to Committee on Commerce and Labor
02/04/10 House: Tabled in Commerce and Labor

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 Expungement of criminal record; allows a person to have his conviction expunged after 10 years.

A BILL to amend and reenact § 19.2-392.2 of the Code of Virginia, relating to expungement of criminal convictions.

10101730D

Patron: Morrissey

01/07/10 House: Prefiled and ordered printed; offered 01/13/10 10101730D
01/07/10 House: Referred to Committee for Courts of Justice
01/13/10 House: Assigned Courts sub: Criminal
01/20/10 House: Subcommittee recommends passing by indefinitely
02/16/10 House: Left in Courts of Justice

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 Estate tax; dedication of revenues collected.

A BILL to amend and reenact §§ 32.1-127, 58.1-901, 58.1-902, 58.1-905, and 58.1-912 of the Code of Virginia, relating to the estate tax and dedication of the revenues collected from such tax.

10101950D

Patrons: Watts, Kory, Plum, Scott, J.M. and Surovell; Senators: Petersen and Ticer

02/02/10 House: Referred from Rules
02/02/10 House: Referred to Committee on Finance
02/03/10 House: Assigned Finance sub: #1
02/08/10 House: Subcommittee recommends laying on the table (5-Y 2-N)
02/16/10 House: Left in Finance

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 School calendar; opening of 2010-2011 school year in Planning Districts 5 and 12.

A BILL to authorize the school boards in Planning Districts 5 and 12 to set the school calendar for the 2010-2011 school year so that the first day students are required to attend school may be before Labor Day.

10103224D

Patrons: Merricks and Marshall, D.W.

01/11/10 House: Prefiled and ordered printed; offered 01/13/10 10103224D

01/11/10 House: Referred to Committee on Education

01/19/10 House: Assigned Education sub: #3 Teachers and Admin. Action

01/21/10 House: Subcommittee recommends laying on the table

02/16/10 House: Left in Education

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 Retail Sales and Use Tax; increases rate on motor fuels in Northern Virginia.

A BILL to amend and reenact § 58.1-1720 of the Code of Virginia, relating to sales tax on motor fuel in certain transportation districts.

10100964D

Patron: Englin

01/11/10 House: Referred to Committee on Finance

01/27/10 House: Impact statement from TAX (HB269)

02/01/10 House: Assigned Finance sub: #1

02/03/10 House: Subcommittee recommends laying on the table

02/16/10 House: Left in Finance

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 Community development authorities; permitted to request locality levy and collect special tax.

A BILL to amend and reenact §§ 15.2-5131 and 15.2-5158 of the Code of Virginia, relating to powers of community development authorities.

10103721D

Patron: Ware, O.

01/11/10 House: Referred to Committee on Counties, Cities and Towns

01/15/10 House: Assigned CC & T sub: #1

01/20/10 House: Impact statement from TAX (HB343)

02/03/10 House: Subcommittee recommends laying on the table

02/16/10 House: Left in Counties, Cities and Towns

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 Alcoholic beverage control; creates hotel manager's reception license.

A BILL to amend and reenact §§ 4.1-206, 4.1-231, and 4.1-233 of the Code of Virginia, relating to alcoholic beverage control; hotel manager's reception license.

10101697D

Patron: Englin

01/12/10 House: Referred to Committee on General Laws

01/15/10 House: Assigned GL sub: #3 ABC/Gaming

01/26/10 House: Impact statement from DPB (HB354)

02/04/10 House: Subcommittee recommends striking from docket

02/16/10 House: Left in General Laws

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 Community development authorities; permitted to request locality levy and collect special tax.

A BILL to amend and reenact §§ 15.2-5131 and 15.2-5158 of the Code of Virginia, relating to powers of community development authorities.

10101719D

Patron: Ware, O.

01/12/10 House: Referred to Committee on Finance
01/18/10 House: Assigned Finance sub: #1
01/20/10 House: Impact statement from TAX (HB359)
02/03/10 House: Subcommittee recommends striking from docket
02/10/10 House: Stricken at request of Patron in Finance

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. This legislation also contains technical amendments.

HB 731 School calendar; local school boards to set first day of school.

A BILL to amend and reenact § 22.1-79.1 of the Code of Virginia, relating to the opening of the school year.

10103729D

Patron: Albo

01/12/10 House: Prefiled and ordered printed; offered 01/13/10 10103729D
01/12/10 House: Referred to Committee on Education
01/19/10 House: Assigned Education sub: #3 Teachers and Admin. Action
01/21/10 House: Subcommittee recommends incorporating (HB565-Tata)
01/27/10 House: Incorporated by Education (HB565-Tata)

Notes: 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 School calendar; opening of school year in City of Roanoke.

A BILL to authorize the City of Roanoke School Board to set the school calendar so that the first day students are required to attend school may be before Labor Day.

10103389D

Patron: Cleaveland

01/12/10 House: Prefiled and ordered printed; offered 01/13/10 10103389D

01/12/10 House: Referred to Committee on Education

01/19/10 House: Assigned Education sub: #3 Teachers and Admin. Action

01/21/10 House: Subcommittee recommends laying on the table

02/16/10 House: Left in Education

Notes: 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 Defacement removal; localities to charge owners of occupied property actual cost.

A BILL to amend and reenact § 15.2-908 of the Code of Virginia, relating to removal of defacement from structures.

10102371D

Patron: Villanueva

01/12/10 House: Prefiled and ordered printed; offered 01/13/10 10102371D

01/12/10 House: Referred to Committee on Counties, Cities and Towns

01/21/10 House: Assigned CC & T sub: #1

02/03/10 House: Subcommittee recommends passing by with letter

02/08/10 House: Continued to 2011 in Counties, Cities and Towns

HB 794 Home Access Businesses; establish standards, penalty.

A BILL to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 24.3, consisting of sections numbered 59.1-310.11 through 59.1-310.17, relating to standards for employment of individuals by home access businesses; penalty.

10103987D

Patron: Tata

01/12/10 House: Prefiled and ordered printed; offered 01/13/10 10103987D

01/12/10 House: Referred to Committee on Commerce and Labor

01/26/10 House: Stricken from docket by Commerce and Labor

Notes: establish standards, penalty

HB 799 School calendar; local school boards responsible for determining opening of school year.

A BILL to amend and reenact §§ 22.1-26, 22.1-79.1, and 22.1-296 of the Code of Virginia, relating to the opening of the school year.

10102251D

Patron: Greason

01/13/10 House: Prefiled and ordered printed; offered 01/13/10 10102251D

01/13/10 House: Referred to Committee on Education

01/19/10 House: Assigned Education sub: #3 Teachers and Admin. Action

01/21/10 House: Subcommittee recommends laying on the table

02/16/10 House: Left in Education

Notes: 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 Garnishment; deposit of earnings.

A BILL to amend and reenact § 34-29 of the Code of Virginia, relating to garnishment; deposit of earnings.

10103366D

Patrons: Abbott, BaCote and Ward

01/13/10 House: Prefiled and ordered printed; offered 01/13/10 10103366D

01/13/10 House: Referred to Committee for Courts of Justice

01/19/10 House: Assigned Courts sub: Civil

02/01/10 House: Subcommittee failed to recommend reporting (3-Y 6-N)

02/16/10 House: Left in Courts of Justice

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 District court; expungement of police and court records.

A BILL to amend the Code of Virginia by adding a section numbered 19.2-392.2:1, relating to expungement of police and court records in district court.

10103651D

Patron: Surovell

01/13/10 House: Referred to Committee for Courts of Justice
01/19/10 House: Assigned Courts sub: Criminal
01/25/10 House: Subcommittee recommends laying on the table
01/29/10 House: Impact statement from DPB (HB823)
02/16/10 House: Left in Courts of Justice

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 Larceny; increases threshold amount of goods that determines petit larceny to grand larceny.

A BILL to amend and reenact §§ 18.2-23, 18.2-95, 18.2-96, 18.2-96.1, 18.2-97, 18.2-102, 18.2-103, 18.2-108.01, 18.2-145.1, 18.2-150, 18.2-152.3, 18.2-181, 18.2-181.1, 18.2-182, 18.2-186, 18.2-186.3, 18.2-187.1, 18.2-188, 18.2-195, 18.2-195.2, 18.2-197, 18.2-340.37, 19.2-289, 19.2-290, 19.2-386.16, and 29.1-553 of the Code of Virginia, relating to grand larceny and certain property crimes; threshold amount.

10101749D

Patron: Surovell

01/13/10 House: Prefiled and ordered printed; offered 01/13/10 10101749D
01/13/10 House: Referred to Committee for Courts of Justice
01/19/10 House: Assigned Courts sub: Criminal
01/25/10 House: Subcommittee recommends passing by indefinitely (5-Y 2-N)
02/16/10 House: Left in Courts of Justice

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 Food and beverage tax; adds Fairfax County to those that may impose.

A BILL to amend and reenact § 58.1-3833 of the Code of Virginia, relating to food and beverage tax; Fairfax County.

10102369D

Patrons: Surovell, Englin and Kory

01/13/10 House: Referred to Committee on Finance

01/17/10 House: Impact statement from TAX (HB830)

01/18/10 House: Assigned Finance sub: #1

01/20/10 House: Subcommittee recommends passing by indefinitely

02/16/10 House: Left in Finance

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 Cigarette tax, local; authorizes any county to impose.

A BILL to amend and reenact § 58.1-3830 of the Code of Virginia and to repeal § 58.1-3831 of the Code of Virginia, relating to local cigarette taxes.

10102174D

Patron: Barlow

01/13/10 House: Referred to Committee on Finance

01/18/10 House: Assigned Finance sub: #1

01/19/10 House: Impact statement from TAX (HB889)

01/20/10 House: Subcommittee recommends passing by indefinitely

02/16/10 House: Left in Finance

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 Cigarette tax, local; allows Isle of Wight County to levy tax.

A BILL to amend and reenact § 58.1-3831 of the Code of Virginia, relating to local cigarette tax in certain counties; Isle of Wight County.

10102177D

Patron: Barlow

01/17/10 House: Impact statement from TAX (HB891)
01/18/10 House: Assigned Finance sub: #1
01/19/10 House: Introduced bill reprinted 10102177D
01/20/10 House: Subcommittee recommends passing by indefinitely
02/16/10 House: Left in Finance

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 Retail Sales and Use Tax; taxes on room rentals.

A BILL to amend and reenact §§ 58.1-602, 58.1-3819, 58.1-3822, 58.1-3823, 58.1-3824, 58.1-3825, 58.1-3825.2, 58.1-3826, 58.1-3842, and 58.1-3843 of the Code of Virginia, Chapter 265 of the Acts of Assembly of 1977, as amended, carried by reference in the Code of Virginia as § 58.1-3820, and Chapter 436 of the Acts of Assembly of 1990, as amended, carried by reference in the Code of Virginia as § 58.1-3821, and to amend the Code of Virginia by adding a section numbered 58.1-604.7 and by adding in Article 6 of Chapter 38 of Title 58.1 a section numbered 58.1-3818.8, relating to taxes on the rental of rooms, lodgings, accommodations, or similar spaces.

10103840D

Patron: Barlow

01/13/10 House: Referred to Committee on Finance
01/18/10 House: Assigned Finance sub: #1
01/23/10 House: Impact statement from TAX (HB893)
01/27/10 House: Subcommittee recommends laying on the table
02/16/10 House: Left in Finance

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 932 Identity theft; distribution of information acquired through theft is a Class 4 felony.

A BILL to amend and reenact §§ 2.2-511, 18.2-152.5, 18.2-152.5:1, 18.2-186.3, 18.2-186.3:1, 18.2-186.4, 18.2-186.5, 19.2-8, 19.2-349, 42.1-86.1, and 58.1-4018.1 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 18.2-186.3:01, 18.2-186.3:02, and 18.2-186.3:03, relating to identity theft.

10102337D

Patron: Bell, Robert B.

01/13/10 House: Prefiled and ordered printed; offered 01/13/10 10102337D

01/13/10 House: Referred to Committee for Courts of Justice

01/14/10 House: Impact statement from VCSC (HB932)

02/16/10 House: Left in Courts of Justice

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.

HB 959 Check cashers; unlawful for person required to be registered thereas to fail to make copies of item.

A BILL to amend the Code of Virginia by adding a section numbered 18.2-186.7, relating to recordkeeping duties of check cashers; penalty.

10102648D

Patron: Ingram

01/13/10 House: Referred to Committee for Courts of Justice

01/19/10 House: Assigned Courts sub: Criminal

01/25/10 House: Subcommittee recommends laying on the table

01/27/10 House: Impact statement from DPB (HB959)

02/16/10 House: Left in Courts of Justice

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 Electric utilities; prevents temporary and interim increase of rates.

A BILL to amend and reenact §§ 56-237, 56-238, 56-240, and 56-245 of the Code of Virginia, relating to interim or temporary electric utility rate increases.

10102042D

Patrons: Armstrong, Crockett-Stark, Merricks and Phillips; Senator: Reynolds

01/13/10 House: Referred to Committee on Commerce and Labor

01/20/10 House: Impact statement from SCC (HB1052)

01/29/10 House: Assigned C & L sub: #3 Special Subcommittee on Energy

02/09/10 House: Subcommittee recommends laying on the table (12-Y 0-N)

02/16/10 House: Left in Commerce and Labor

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 Health insurance; coverage funded by localities.

A BILL to amend and reenact § 15.2-1517 of the Code of Virginia, relating to insurance for officers and employees of local government entities.

10102462D

Patron: Scott, J.M.

01/13/10 House: Referred to Committee on Counties, Cities and Towns

01/18/10 House: Impact statement from DPB (HB1054)

01/21/10 House: Assigned CC & T sub: #1

02/10/10 House: Subcommittee recommends striking from docket

02/12/10 House: Stricken from docket by Counties, Cities and Towns

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 School calendar; certain school divisions granted waiver from regular opening schedule.

A BILL to amend and reenact § 22.1-79.1 of the Code of Virginia, relating to the opening of the school year.

10102162D

Patrons: Ebbin, Englin, McClellan and Ward

01/13/10 House: Prefiled and ordered printed; offered 01/13/10 10102162D

01/13/10 House: Referred to Committee on Education

01/19/10 House: Assigned Education sub: #3 Teachers and Admin. Action

01/21/10 House: Subcommittee recommends laying on the table

02/01/10 House: Tabled in Education

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 Virginia Waterways Clean Up and Consumer Choice Act; paper and plastic bag fee.

A BILL to amend the Code of Virginia by adding in Chapter 17 of Title 58.1 an article numbered 9, consisting of sections numbered 58.1-1734, 58.1-1735, and 58.1-1736, relating to the Virginia Waterways Clean Up and Consumer Choice Act; paper and plastic bag fee.

10103874D

Patrons: Ebbin, Bulova, Englin, Herring, Kory and Spruill

01/13/10 House: Referred to Committee on Finance

01/25/10 House: Assigned Finance sub: #3

02/08/10 House: Impact statement from TAX (HB1115)

02/09/10 House: Subcommittee recommends laying on the table

02/16/10 House: Left in Finance

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 Health insurance purchasing pool; SOA to prepare a program design for businesses with 50 or fewer.

A BILL to amend the Code of Virginia by adding a section numbered 2.2-203.1:1, relating to the establishment of a voluntary, public-private health insurance purchasing pool for small businesses.

10102644D

Patrons: Keam and Kory

01/13/10 House: Referred to Committee on Commerce and Labor
01/21/10 House: Assigned C & L sub: #2
02/02/10 House: Impact statement from DPB (HB1130)
02/04/10 House: Subcommittee recommends laying on the table (9-Y 0-N)
02/16/10 House: Left in Commerce and Labor

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 Food and beverage tax; all counties may impose.

A BILL to amend and reenact § 58.1-3833 of the Code of Virginia, relating to county food and beverage tax.

10102517D

Patron: Morgan

01/13/10 House: Referred to Committee on Finance
01/17/10 House: Impact statement from TAX (HB1138)
01/18/10 House: Assigned Finance sub: #1
01/27/10 House: Subcommittee recommends passing by indefinitely
02/16/10 House: Left in Finance

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 Retail Sales and Use Tax; any county or city to levy additional tax for education purposes.

A BILL to amend and reenact §§ 58.1-605, 58.1-606, 58.1-608.3, 58.1-611.1, and 58.1-614 of the Code of Virginia, relating to local sales and use tax.

10100680D

Patrons: Scott, J.M. and Kory

01/13/10 House: Referred to Committee on Finance
01/18/10 House: Assigned Finance sub: #1
02/01/10 House: Impact statement from TAX (HB1150)

02/03/10 House: Subcommittee recommends passing by indefinitely
02/16/10 House: Left in Finance

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 Motor fuels tax; converts rates of taxation from cents per gallon to percentage rates.

A BILL to amend and reenact §§ 58.1-2217, 58.1-2249, 58.1-2289, as it may become effective, 58.1-2701, as it is currently effective and as it may become effective, and 58.1-2706 of the Code of Virginia, relating to motor fuels tax.

10100681D

Patrons: Scott, J.M. and Kory

01/13/10 House: Referred to Committee on Finance
01/19/10 House: Assigned Finance sub: #2
02/01/10 House: Impact statement from DPB (HB1153)
02/03/10 House: Subcommittee recommends laying on the table
02/16/10 House: Left in Finance

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 Income tax, state; imposes surtax on taxable income to provide new source of revenue for localities.

A BILL to amend and reenact §§ 58.1-321, 58.1-461, 58.1-486.2, 58.1-3506, 58.1-3506.1, 58.1-3518, 58.1-3518.1, 58.1-3524, and 58.1-3912 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 58.1-320.1, 58.1-490.1, and 58.1-3524.1, relating to income tax surtax.

10103827D

Patron: Brink

01/21/10 House: Read second time
01/21/10 House: Motion to pass by previous motion to strike bill from calendar agreed to (63-Y

35-N)

01/21/10 House: VOTE: --- PASS BY MOTION (63-Y 35-N)

01/21/10 House: Engrossment refused by House (0-Y 97-N 1-A)

01/21/10 House: VOTE: --- ENGROSSMENT (0-Y 97-N 1-A)

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 1182 Health insurance; mandated coverage for telemedicine services.

A BILL to amend and reenact § 38.2-4319 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 38.2-3418.16, relating to health insurance coverage for telemedicine services.

10100134D

Patron: Phillips

01/13/10 House: Prefiled and ordered printed; offered 01/13/10 10100134D

01/13/10 House: Referred to Committee on Commerce and Labor

02/09/10 House: Impact statement from SCC (HB1182)

02/16/10 House: Left in Commerce and Labor

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.

HB 1237 Economic development incentive rates; electric utilities to offer service to certain customers.

A BILL to amend and reenact § 56-235.2 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 56-235.2:1, relating to economic development incentive rates for electric service provided by certain public utilities.

10103841D

Patrons: Armstrong, Crockett-Stark, Merricks and Phillips; Senator: Reynolds

01/15/10 House: Referred to Committee on Commerce and Labor

01/25/10 House: Impact statement from SCC (HB1237)

01/29/10 House: Assigned C & L sub: #3 Special Subcommittee on Energy

02/09/10 House: Subcommittee recommends laying on the table (12-Y 0-N)

02/16/10 House: Left in Commerce and Labor

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 1317 Governor's Development Opportunity Fund; funds to financial institutions for small business loans.

A BILL to amend and reenact § 2.2-115 of the Code of Virginia, relating to the Governor's Development Opportunity Fund.

10103257D

Patron: Marshall, R.G.

01/22/10 House: Presented and ordered printed 10103257D

01/22/10 House: Referred to Committee on General Laws

02/10/10 House: Impact statement from DPB (HB1317)

02/16/10 House: Left in General Laws

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 or expand small businesses, when the Fund balance is greater than \$12 million.

HB 1325 ABC; Board to conduct a study that assesses economic impact of marking up spirits, report.

A BILL to amend and reenact § 4.1-235 of the Code of Virginia, relating to alcoholic beverage control; collection of taxes, etc.; markup of spirits.

10104214D

Patron: Albo

02/11/10 House: Subcommittee recommends reporting (4-Y 2-N)

02/11/10 House: Reported from General Laws (21-Y 1-N)

02/11/10 House: Referred to Committee on Appropriations

02/12/10 House: Assigned App. sub: General Government

02/16/10 House: Left in Appropriations

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.

HB 1351 Indoor Clean Air Act; smoking in public buildings prohibited, penalty.

A BILL to amend and reenact §§ 15.2-2820, 15.2-2824, 15.2-2826, 15.2-2829, and 15.2-2830 of the Code of Virginia and to repeal § 15.2-2823 of the Code of Virginia, relating to the Virginia Indoor Clean Air Act; smoking in public buildings prohibited; penalty.

10103095D

Patrons: Hope, Alexander, BaCote, Barlow, Brink, Bulova, Ebbin, Englin, Herring, Howell, A.T., Keam, Kory, McClellan, McQuinn, Morrissey, Phillips, Plum, Scott, J.M., Sickles, Surovell, Toscano, Tyler, Ward and Watts

01/22/10 House: Presented and ordered printed 10103095D

01/22/10 House: Referred to Committee on General Laws

02/04/10 House: Impact statement from DPB (HB1351)

02/16/10 House: Left in General Laws

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.

HB 1362 Motor fuels tax; DMV Commissioner to revoke licenses issued to persons violating tax provisions.

A BILL to amend and reenact § 58.1-2204 of the Code of Virginia, relating to motor fuels tax licensees.

10104046D

Patron: Pollard

01/22/10 House: Presented and ordered printed 10104046D
01/22/10 House: Referred to Committee on Finance
01/26/10 House: Assigned Finance sub: #2
02/03/10 House: Subcommittee recommends striking from docket
02/10/10 House: Stricken at request of Patron in Finance

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 1368 Vehicle engine idling; allowed for unattended motor vehicles on residential streets, exceptions.

A BILL to amend and reenact § 46.2-1209 of the Code of Virginia, relating to unattended vehicles; engine idling.

10101566D

Patron: LeMunyon

01/22/10 House: Presented and ordered printed 10101566D
01/22/10 House: Referred to Committee on Transportation
01/31/10 House: Assigned Transportation sub: #2
02/03/10 House: Subcommittee recommends laying on the table
02/16/10 House: Left in Transportation

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 of warming or cooling the interior of the vehicle

HJ 28 Small businesses; joint subcommittee to study state laws and regulations that impede.

Establishing a joint subcommittee to study whether state laws and regulations impede the ability of small businesses to act collectively in procuring health insurance. Report.

10102074D

Patron: Purkey

01/05/10 House: Prefiled and ordered printed; offered 01/13/10 10102074D

01/05/10 House: Referred to Committee on Rules

01/18/10 House: Assigned Rules sub: #3 Studies

01/28/10 House: Subcommittee recommends laying on the table

02/16/10 House: Left in Rules

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.

SB 70 Criminal conviction record; person convicted of certain offenses to petition for expungement.

A BILL to amend and reenact §§ 19.2-392.1, 19.2-392.2, and 19.2-392.3, of the Code of Virginia, relating to expungement of criminal convictions.

10103277D

Patron: McEachin

01/04/10 Senate: Prefiled and ordered printed; offered 01/13/10 10103277D

01/04/10 Senate: Referred to Committee for Courts of Justice

01/12/10 Senate: Assigned Courts sub: Criminal

02/08/10 Senate: Passed by indefinitely in Courts of Justice (13-Y 1-N)

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 School calendar; removes restrictions for post-Labor Day school opening.

A BILL to amend and reenact § 22.1-79.1 of the Code of Virginia, relating to the opening of the school year.

10101684D

Patrons: Reynolds; Delegate: Armstrong

02/08/10 House: Placed on Calendar

02/08/10 House: Read first time

02/08/10 House: Referred to Committee on Education

02/16/10 House: Assigned Education sub: #3 Teachers and Admin. Action

02/25/10 House: Subcommittee recommends laying on the table

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 114 Motor fuels tax; rate increase or decrease each year using fuel efficiency index.

A BILL to amend and reenact §§ 58.1-2201, 58.1-2217, 58.1-2249, 58.1-2701, as it is currently effective and as it may become effective, and 58.1-2706 of the Code of Virginia, relating to annually changing the rate of Virginia's fuels taxes by changes in the fuel efficiencies of motor vehicles.

10100282D

Patron: Petersen

01/06/10 Senate: Prefiled and ordered printed; offered 01/13/10 10100282D

01/06/10 Senate: Referred to Committee on Finance

02/01/10 Senate: Impact statement from DPB (SB114)

02/16/10 Senate: Left in Finance

Notes: 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.

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.

Currently, Virginia's fuels taxes are fixed at the rate of \$0.175 per gallon for each gallon of gasoline, gasohol, and diesel fuel.

SB 123 Stormwater management; developer of single lot to provide where redevelopment is proposed.

A BILL to amend and reenact § 15.2-2242 of the Code of Virginia, relating to stormwater improvement regulations in subdivision ordinances.

10100994D

Patron: Petersen

01/06/10 Senate: Prefiled and ordered printed; offered 01/13/10 10100994D

01/06/10 Senate: Referred to Committee on Local Government

01/21/10 Senate: Impact statement from DPB (SB123)

02/16/10 Senate: Left in Local Government

Notes: 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.

SB 125 Larceny; increases threshold amount of goods that determines petit larceny to grand larceny.

A BILL to amend and reenact §§ 18.2-23, 18.2-95, 18.2-96, 18.2-96.1, 18.2-97, 18.2-102, 18.2-103, 18.2-108.01, 18.2-145.1, 18.2-150, 18.2-152.3, 18.2-181, 18.2-181.1, 18.2-182, 18.2-186, 18.2-186.3, 18.2-187.1, 18.2-188, 18.2-195, 18.2-195.2, 18.2-197, 18.2-340.37, 19.2-289, 19.2-290, 19.2-386.16, and 29.1-553 of the Code of Virginia, relating to grand larceny and certain property crimes; threshold amount.

10100328D

Patron: Petersen

01/06/10 Senate: Prefiled and ordered printed; offered 01/13/10 10100328D

01/06/10 Senate: Referred to Committee for Courts of Justice

01/12/10 Senate: Assigned Courts sub: Criminal

01/18/10 Senate: Failed to report (defeated) in Courts of Justice (5-Y 7-N)

Notes: 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.

SB 443 Alcoholic beverage control; privatization of ABC stores.

A BILL to amend and reenact §§ 4.1-100, 4.1-103, 4.1-111, 4.1-115, 4.1-116, 4.1-121, 4.1-122, 4.1-130, 4.1-131, 4.1-201, 4.1-206, 4.1-207, 4.1-210, 4.1-213, 4.1-215, 4.1-221, 4.1-226, 4.1-228, 4.1-231, 4.1-233, 4.1-234, 4.1-235, 4.1-303, 4.1-310, 4.1-313, and 4.1-330 of the Code of Virginia; to amend the Code of Virginia by adding sections numbered 4.1-120.1, 4.1-210.1, and 4.1-214.1; and to repeal §§ 4.1-104, 4.1-110, 4.1-119, 4.1-120, and 4.1-133 of the Code of Virginia, relating to the privatization of wholesale and retail sale of alcoholic beverages.

10100625D

Patron: Obenshain

01/13/10 Senate: Prefiled and ordered printed; offered 01/13/10 10100625D

01/13/10 Senate: Referred to Committee on Rehabilitation and Social Services

01/22/10 Senate: Rereferred from Rehabilitation and Social Services (15-Y 0-N)

01/22/10 Senate: Rereferred to Finance

02/16/10 Senate: Left in Finance

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 464 Health insurance; mandated coverage for autism spectrum disorder.

A BILL to amend and reenact § 38.2-4319 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 38.2-3418.16, relating to health insurance coverage for autism spectrum disorder.

10105054D

Patrons: Howell, Deeds, Herring, Marsden, Petersen, Stuart, Ticer, Vogel and Whipple;
Delegates: Bulova, Herring, Hope, Kory, Plum, Rust, Scott, J.M., Surovell and Watts

02/17/10 House: Read first time

02/17/10 House: Referred to Committee on Commerce and Labor

02/18/10 House: Assigned C & L sub: #1

02/19/10 Senate: Impact statement from DPB (SB464S1)

02/23/10 House: Subcommittee recommends laying on the table (10-Y 0-N)

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 525 Cooperative Marketing Fund; dedicates revenues from soft drink excise tax and litter tax thereto.

A BILL to amend and reenact §§ 2.2-2319, 10.1-1422.01, 10.1-1422.03, 58.1-1705, and 58.1-1710 of the Code of Virginia and to amend and reenact the third enactment of Chapter 616 of the Acts of Assembly of 1977, relating to dedicating revenues from the Commonwealth's soft drink excise tax and litter tax to the Cooperative Marketing Fund administered by the Virginia Tourism Authority.

10101114D

Patron: Norment

01/13/10 Senate: Prefiled and ordered printed; offered 01/13/10 10101114D

01/13/10 Senate: Referred to Committee on Finance

02/01/10 Senate: Impact statement from DPB (SB525)

02/16/10 Senate: Left in Finance

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 542 Retail Sales & Use Tax; eliminates dealer discount for communications tax, state cigarette tax, etc.

A BILL to amend and reenact §§ 58.1-605, 58.1-606, 58.1-642, 58.1-1009, 58.1-1011, 58.1-1021.03, 58.1-1720, 58.1-1730, 58.1-2233, 58.1-2234, 58.1-2235, 58.1-2236, 58.1-2238, 58.1-2256, 58.1-2259, and 58.1-2272 of the Code of Virginia, and to repeal §§ 58.1-622 and 58.1-656 of the Code of Virginia, relating to dealer discounts.

10103743D

Patron: Colgan (by request)

01/13/10 Senate: Prefiled and ordered printed; offered 01/13/10 10103743D

01/13/10 Senate: Referred to Committee on Finance

01/17/10 Senate: Impact statement from TAX (SB542)

02/16/10 Senate: Left in Finance

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 Income tax, state; imposes surtax on taxable income to provide new source of revenue for localities.

A BILL to amend and reenact §§ 58.1-321, 58.1-461, 58.1-486.2, 58.1-3506, 58.1-3506.1, 58.1-3518, 58.1-3518.1, 58.1-3524, and 58.1-3912 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 58.1-320.1, 58.1-490.1, and 58.1-3524.1, relating to income tax surtax.

10103833D

Patron: Colgan

01/13/10 Senate: Prefiled and ordered printed; offered 01/13/10 10103833D

01/13/10 Senate: Referred to Committee on Finance

01/24/10 Senate: Impact statement from TAX (SB543)

02/16/10 Senate: Left in Finance

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 Restroom Access Act; created.

A BILL to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 50, consisting of sections numbered 59.1-550 through 59.1-553, relating to customer access to restrooms; penalty.

10102030D

Patron: Barker

01/13/10 Senate: Prefiled and ordered printed; offered 01/13/10 10102030D

01/13/10 Senate: Referred to Committee on Commerce and Labor

02/17/10 Senate: Left in Commerce and Labor

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 578 Cigarette tax, local; authorizes counties of James City and Spotsylvania to impose.

A BILL to amend and reenact § 58.1-3831 of the Code of Virginia, relating to authorizing James City County to impose a local cigarette tax.

10104577D

Patron: Norment

02/17/10 House: Read first time

02/17/10 House: Referred to Committee on Finance

02/17/10 House: Assigned Finance sub: #1

02/24/10 House: Subcommittee recommends laying on the table (7-Y 2-N)

03/01/10 House: Tabled in Finance

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 643 Jailable offense; discretion of law-enforcement officer to arrest or issue summons therefor.

A BILL to amend and reenact § 19.2-74 of the Code of Virginia, relating to discretion of law-enforcement officer to arrest or issue summons for a jailable offense.

10103013D

Patron: Reynolds

01/19/10 Senate: Presented and ordered printed 10103013D

01/19/10 Senate: Referred to Committee for Courts of Justice

02/14/10 Senate: Impact statement from DPB (SB643)

02/15/10 Senate: Failed to report (defeated) in Courts of Justice (5-Y 10-N)

SB 660 Retail Sales and Use Tax; requires dealer to register if sufficient business activity within State.

A BILL to amend and reenact § 58.1-612 of the Code of Virginia, relating to sufficient activity within the Commonwealth to require a dealer to register for retail sales and use tax purposes.

10104299D

Patron: Hanger

02/17/10 House: Referred to Committee on Finance

02/18/10 House: Assigned Finance sub: #2

02/19/10 Senate: Impact statement from TAX (SB660)

02/24/10 House: Subcommittee recommends laying on the table

03/01/10 House: Tabled in Finance

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 Income tax, corporate; eliminates for taxable years beginning on or after July 1, 2012.

A BILL to repeal Articles 10 (§§ 58.1-400 through 58.1-422), 13 (§§ 58.1-432 through 58.1-439.12:02), and 20 (§§ 58.1-500 through 58.1-504) of Chapter 3 of Title 58.1 of the Code of Virginia, relating to corporate income tax.

10104311D

Patrons: McDougle, Hurt and Martin

01/21/10 Senate: Presented and ordered printed 10104311D

01/21/10 Senate: Referred to Committee on Finance

01/26/10 Senate: Impact statement from TAX (SB671)

02/16/10 Senate: Left in Finance

Notes: Corporate income tax. Eliminates Virginia's corporate income tax for taxable years beginning on or after July 1, 2012

SB 691 Minority Business Enterprise, Department of; enhancement measures for small, etc., businesses.

A BILL to amend and reenact §§ 2.2-1402, 2.2-1403, 2.2-4310, and 15.2-965.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-1403.1, relating to Department of Minority Business Enterprise; small, women-owned, and minority-owned businesses; enhancement or remedial measures.

10104258D

Patron: Obenshain

02/03/10 Senate: Reported from General Laws and Technology with substitute (13-Y 1-N 1-A)

02/03/10 Senate: Committee substitute printed 10104899D-S1

02/03/10 Senate: Rereferred to Finance

02/08/10 Senate: Impact statement from DPB (SB691S1)

02/16/10 Senate: Left in Finance

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 701 Cigarettes; assessment fee on manufacturers that do not participate in Master Settlement Agreement.

A BILL to amend the Code of Virginia by adding in Chapter 10 of Title 58.1 an article numbered 3.1, consisting of sections numbered 58.1-1023 through 58.1-1030.1, relating to a cigarette equity fee assessment.

10104419D

Patron: Marsden

01/22/10 Senate: Presented and ordered printed 10104419D

01/22/10 Senate: Referred to Committee on Finance

02/02/10 Senate: Impact statement from TAX (SB701)

02/11/10 Senate: Stricken at request of Patron in Finance (14-Y 0-N)

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 725 Retail Sales and Use Tax; exemptions include pet carriers to list of hurricane preparedness items.

A BILL to amend and reenact § 58.1-611.3 of the Code of Virginia, relating to limited exemption for certain hurricane preparedness equipment; portable pet carriers.

10101845D

Patron: Blevins

02/16/10 House: Read first time

02/16/10 House: Referred to Committee on Finance

02/17/10 House: Assigned Finance sub: #1

02/24/10 House: Subcommittee recommends passing by indefinitely (7-Y 3-N)

03/01/10 House: Passed by indefinitely in Finance

Counts: HB: 42 HJ: 1 SB: 18