

HB 57 Business, professional, and occupational license (BPOL) tax; limits on rates and imposition.

A BILL to amend and reenact §§ 58.1-3703 and 58.1-3706 of the Code of Virginia, relating to imposition of the business, professional, and occupational license tax and rate limitations.

10100924D

Patrons: Cole and Pollard

Notes: 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.

HB 69 Firearms, ammunition, etc.; those manufactured and retained in State not subject to federal law.

A BILL to amend the Code of Virginia by adding a section numbered 18.2-308.2:4, relating to firearms, firearms accessories, and ammunition manufactured and retained in Virginia.

10105088D

Patrons: Carrico, Anderson, Athey, Bell, Richard P., Cleaveland, Cole, Cox, J.A., Crockett-Stark, Edmunds, Gear, Gilbert, Howell, W.J., Johnson, Kilgore, Landes, Lingamfelter, Marshall, R.G., Merricks, Miller, J.H., Pogge, Ware, R.L. and Wright; *Senators:* Hurt, Puckett, Ruff and Stuart

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 83 Pawnbrokers; local government may by an ordinance require daily report to be electronically filed.

A BILL to amend and reenact § 54.1-4010 of the Code of Virginia, relating to the regulation of pawnbrokers; daily reports.

10100458D

Patron: Knight

Notes: 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.

HB 109 Firearms; repealing requirement for sellers of pistols to send report to clerk of circuit court.

A BILL to amend and reenact § 15.2-1207 of the Code of Virginia and to repeal § 15.2-1206 of the Code of Virginia, relating to certain firearms taxes; destruction of records.

10100915D

Patron: Cole

Notes: 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.

HB 116 Mail order pharmacy; insurer not limited to a single provider for services.

A BILL to amend and reenact §§ 2.2-2818, 38.2-3407.7, 38.2-4209.1, and 38.2-4312.1 of the Code of Virginia, relating to pharmacy freedom of choice; mail order pharmacy providers.

10104425D

Patron: Purkey

Notes: 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.

HB 144 DUI; DCJS to establish model policy for law-enforcement personnel for handling those suspected.

A BILL to amend and reenact § 9.1-102 of the Code of Virginia, relating to the Department of Criminal Justice services establishing a policy for inquiry by law enforcement of the location of last drink consumed by an individual accused of driving while intoxicated.

10104312D

Patron: O'Bannon

Notes: 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.

HB 171 Firearms in locked vehicles; immunity from liability.

A BILL to amend the Code of Virginia by adding a section numbered 18.2-308.1:01, relating to firearms in locked vehicles; immunity from liability.

10105360D

Patrons: Pogge, Carrico and Lingamfelter

Notes: 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.

HB 262 One-stop small business permitting program; exemption of handling fee for veterans.

A BILL to amend and reenact § 2.2-904.1 of the Code of Virginia, relating to one-stop small business permitting program; fees for veterans.

10105031D

Patrons: Sherwood, Greason, Anderson, Athey, Cole, Crockett-Stark, Gilbert, Iaquinto, James, Keam, Knight, Landes, Lingamfelter and Villanueva

Notes: 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 279 Alcoholic beverage control; third party shipment of wine and beer.

A BILL to amend and reenact § 4.1-209.1 of the Code of Virginia, relating to alcoholic beverage control; third party shipment of wine and beer.

10102053D

Patron: Albo

Notes: 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 681 Law-enforcement officer; discretion of officer to arrest or issue summons for jailable offense.

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.

10102302D

Patron: Miller, J.H.

HB 754 Wireless E-911 charges; establishes rate & procedures for collection & remittance of by sellers.

A BILL to amend and reenact §§ 56-484.12 and 56-484.17 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 56-484.17:1, relating to establishing the rate and collection procedures for E-911 charges on prepaid wireless mobile telecommunications service.

10104845D

Patron: Janis

HB 807 Workers' compensation; insurance carriers to file proof of coverage within 30 days of inception.

A BILL to amend and reenact § 65.2-804 of the Code of Virginia, relating to proof of workers' compensation insurance coverage.

10101481D

Patron: Poindexter

Notes: 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 820 Cigarette tax; penalties for unstamped cigarettes.

An Act to amend and reenact §§ 58.1-1013 and 58.1-1017 of the Code of Virginia, relating to penalties for unstamped cigarettes.

Patron: Surovell

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.

HB 869 Masks; prohibition on wearing in certain places, exception.

A BILL to amend and reenact § 18.2-422 of the Code of Virginia, relating to prohibition of wearing masks; public health emergency exception.

10102334D

Patrons: Cline and Athey

HB 874 Cigarette tax; changes time for affixing tax stamps to cigarette packs.

A BILL to amend and reenact § 58.1-1003 of the Code of Virginia, relating to affixing cigarette tax stamps.

10102731D

Patron: Cline

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 Concealed weapons; person may carry a handgun in motor vehicle or vessel if secured in compartment.

A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to possession of concealed weapons while in a personal, private motor vehicle or vessel.

10104822D

Patrons: Athey, Crockett-Stark, Gilbert and Lingamfelter

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 Firearms, ammunition, etc.; those manufactured and retained in State not subject to federal law.

A BILL to amend the Code of Virginia by adding a section numbered 18.2-308.2:4, relating to firearms, firearms accessories, and ammunition manufactured and retained in Virginia.

10102252D

Patrons: Athey, Anderson, Crockett-Stark, Gilbert and Lingamfelter; Senator: Vogel

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 896 Income tax, corporate; rate reduction for small businesses.

A BILL to amend and reenact § 58.1-400 of the Code of Virginia, relating to corporate income tax.

10102385D

Patron: Comstock

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.

HB 939 Insurance agents; continuing education program.

A BILL to amend and reenact § 38.2-1874 of the Code of Virginia, relating to the licensing of insurance agents; continuing education program.

10103125D

Patron: Abbitt

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.

HB 943 Small Business Jobs Grant Fund; created.

A BILL to amend and reenact § 2.2-902 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 9 of Title 2.2 a section numbered 2.2-904.2, relating to the creation, administration, and management of the Small Business Jobs Grant Fund; grants to small businesses for creating new full-time positions.

10105268D

Patrons: Landes, Bell, Richard P., Gilbert, Keam, Lohr and Villanueva

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 1095 Individual health insurance coverage; sets parameters of period an individual is not covered.

A BILL to amend and reenact § 38.2-3430.2 of the Code of Virginia, relating to individual health insurance coverage; COBRA period.

10102782D

Patrons: Sickles and Hugo

Notes: 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.

HB 1329 Motor fuels sales tax; defines gross sales and sales price for purposes of tax in Northern Virginia.

A BILL to amend and reenact § 58.1-1718.1 of the Code of Virginia, relating to state motor fuels sales tax in Northern Virginia.

10104215D

Patron: Lingamfelter

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.

HB 1334 Littering; prohibits disposal of cigarette butts on public property.

A BILL to amend the Code of Virginia by adding a section numbered 33.1-346.2, relating to disposal on highway etc.; cigarettes; penalty.

10105165D

Patron: Morgan

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.

HB 1347 Sales and use and BPOL taxes; exemptions for certain aviation companies.

A BILL to amend and reenact §§ 58.1-609.3 and 58.1-3703 of the Code of Virginia, relating to tax exemptions for aviation companies.

10105409D

Patrons: Gear and Pogge

Notes: 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.

HB 1349 Virginia Free File program; Tax Commissioner to establish and model after IRS Free File program.

A BILL to establish a Virginia Free File tax program.

10104489D

Patrons: Byron, Comstock and Keam

Notes: 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.

HB 1350 Post-Disaster Anti-Price Gouging Act; time of disaster.

A BILL to amend and reenact § 59.1-526 of the Code of Virginia, relating to the Virginia Post-Disaster Anti-Price Gouging Act; time of disaster.

10105136D

Patron: Peace

Notes: 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.

HB 1356 License fees and taxes, local; exempts campgrounds and bed and breakfast establishments.

A BILL to amend and reenact § 58.1-3703 of the Code of Virginia, relating to local license fees and taxes.

10104288D

Patron: Lewis

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.

HB 1359 Income tax, corporate; tax credit for investments in machinery or equipment by small businesses.

A BILL to amend the Code of Virginia by adding in Article 13 of Chapter 3 of Title 58.1 a section numbered 58.1-439.12:03, relating to tax credit for investments in machinery or equipment by small businesses.

10103222D

Patron: Keam

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.

HB 1360 Income tax, state; telework expenses tax credit.

A BILL to amend the Code of Virginia by adding in Article 13 of Chapter 3 of Title 58.1 a section numbered 58.1-439.12:03, relating to a telework expenses income tax credit.

10103218D

Patron: Keam

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.

HJ 136 Welcome Home Vietnam Veterans Day; designating as March 30, 2010, & each succeeding year thereafter.

Designating 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.

10100390D

Patrons: Bulova, Scott, E.T., Abbitt, Abbott, Albo, Alexander, Anderson, Armstrong, Athey, BaCote, Barlow, Bell, Richard P., Bell, Robert B., Brink, Byron, Carr, Carrico, Cleaveland, Cline, Cole, Comstock, Cosgrove, Cox, J.A., Cox, M.K., Crockett-Stark, Dance, Ebbin, Edmunds, Englin, Garrett, Gear, Gilbert, Greason, Griffith, Herring, Hope, Howell, A.T., Howell, W.J., Hugo, Iaquinto, Ingram, James, Janis, Joannou, Johnson, Jones, Keam, Kilgore, Knight, Kory, Landes, LeMunyon, Lewis, Lingamfelter, Lohr, Loupassi, Marshall, D.W., Marshall, R.G., Massie, May, McClellan, McQuinn, Merricks, Miller, J.H., Miller, P.J., Morefield, Morgan, Morrissey, Nixon, Nutter, O'Bannon, Oder, Orrock, Peace, Phillips, Plum, Pogge, Poindexter, Pollard, Purkey, Putney, Rust, Scott, J.M., Sherwood, Shuler, Sickles, Spruill, Stolle, Surovell, Tata, Torian, Toscano, Tyler, Villanueva, Ward, Ware, O., Ware, R.L., Watts and Wright; Senators: Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsden, Marsh, Martin, McDougle, McEachin, McWaters, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins and Whipple

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 Warranty registration cards; prohibits seller from conditioning coverage or performance of warranty.

A BILL to amend and reenact § 59.1-200 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 8.2-317.1, relating to conditioning warranties on returning a registration card; penalties.

10100693D

Patron: Puller

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 License plates, special; issuance to those bearing legend: BUY LOCAL.

A BILL to authorize the issuance of special license plates bearing the legend: BUY LOCAL; fees.

10101395D

Patron: Miller, Y.B.

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 RS&UT; dealers selling and installing countertops shall be deemed retailers for purposes thereof.

A BILL to amend and reenact § 58.1-610 of the Code of Virginia, relating to the sales and use tax on countertops.

10100157D

Patron: Martin

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 Signs; provides local government authority to regulate.

A BILL to amend and reenact §§ 33.1-375.1, 56-265.15, and 56-265.15:1 of the Code of Virginia, relating to signage in rights-of-way of the Virginia Department of Transportation.

10104850D

Patron: Lucas

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 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

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 Line of Duty Death and Health Benefits Trust Fund; funding from additional surcharge.

A BILL to amend and reenact §§ 9.1-400, 56-484.12, and 58.1-1730 of the Code of Virginia, relating to the Line of Duty Act; definitions; funding for the Line of Duty Death and Health Benefits Trust Fund.

10101401D

Patrons: Quayle, McWaters and Whipple

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 Pawnbrokers; required to file daily reports electronically with local law enforcement.

A BILL to amend and reenact § 54.1-4010 of the Code of Virginia, relating to daily reports of pawnbrokers.

10101212D

Patron: McDougle

Notes: Requires pawnbrokers to file daily reports electronically with local law enforcement.

SB 130 Retail Sales and Use Tax; exemptions include certain computer equipment and enabling software.

A BILL to amend and reenact §§ 58.1-609.3 and 58.1-609.10 of the Code of Virginia, relating to sales and use tax exemption; computer equipment.

10102875D

Patrons: Stosch, Blevins, Hanger, Martin, McDougle, McWaters, Newman, Quayle, Ruff, Stuart, Vogel, Wagner and Watkins; *Delegates:* Bell, Richard P. and Wright

Notes: 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.

SB 238 Enhanced Public Safety Telephone Services Act; certain requirements for CMRS resellers.

A BILL to amend and reenact §§ 56-484.12 and 56-484.17 of the Code of Virginia, relating to the Enhanced Public Safety Telephone Services Act; collection of wireless E-911 surcharge.

10101249D

Patron: Watkins

Notes: 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.

SB 253 School calendar; requirement that school begin after Labor Day may be waived by Board of Education.

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

10100810D

Patrons: Reynolds; *Delegate:* Armstrong

Notes: 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.

SB 261 Weights and measures; moneys collected from imposition of fees shall be deposited into Fund.

A BILL to amend and reenact §§ 3.2-5609 and 62.1-44.34:13 of the Code of Virginia, relating to the imposition of weights and measures fees.

10105308D

Patron: Whipple

SB 329 District and circuit courts; increases court fees.

A BILL to amend and reenact §§ 16.1-69.48:2 and 17.1-275 of the Code of Virginia, relating to fees in civil cases.

10105332D

Patrons: Stuart and Reynolds

SB 408 Concealed weapons; person may carry a handgun in motor vehicle or vessel if secured in compartment.

A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to possession of concealed weapons in vehicles.

10100429D

Patrons: Vogel and Martin

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 vessel if the handgun is locked in a container or compartment.

SB 417 Individual health insurance coverage; resident of State shall not be required to obtain a policy.

An Act to amend the Code of Virginia by adding a section numbered 38.2-3430.1:1, relating to individual accident and sickness insurance coverage.

Patrons: Vogel, Hurt, Martin, McDougle, Newman, Obenshain, Smith, Stosch and Stuart

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 Wireless E-911 charges; establishes rate and procedures for collection and remittance by sellers.

A BILL to amend and reenact §§ 56-484.12 and 56-484.17 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 56-484.17:1, relating to establishing the rate

and collection procedures for E-911 charges on prepaid wireless mobile telecommunications service.

10105380D

Patron: Saslaw

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 452 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 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.

10104559D

Patron: Whipple

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 One-stop small business permitting program; veteran applicants exempt from payment of handling fee.

A BILL to amend and reenact § 2.2-904.1 of the Code of Virginia, relating to one-stop small business permitting program; fees for veterans.

10105034D

Patrons: Hurt, Stosch, Martin, McWaters, Ruff, Vogel, Wagner and Wampler

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 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

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 Group life insurance coverage; extended to persons mutually agreed upon by insurer and policyholder.

A BILL to amend and reenact § 38.2-3323 of the Code of Virginia, relating to group life insurance coverages.

10100382D

Patrons: Howell and McEachin

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 Cigarette tax; penalties for unstamped cigarettes.

A BILL to amend and reenact §§ 58.1-1013 and 58.1-1017 of the Code of Virginia, relating to penalties for unstamped cigarettes.

10101369D

Patron: Watkins

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 Tobacco products tax; moist snuff tax shall be computed based on net weight listed by manufacturer.

A BILL to amend and reenact §§ 58.1-1021.01, 58.1-1021.02, and 58.1-1021.03 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 58.1-1021.02:1, relating to the tobacco products tax.

10105234D

Patron: Watkins

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.

SB 494 Electronic communication or remote service; admissibility of records concerning.

A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 16 of Title 19.2 a section numbered 19.2-271.4, relating to the admissibility of certain business records in criminal proceedings.

10104813D

Patron: Hurt

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.

SB 532 Masks; prohibition on wearing in certain places, exception.

A BILL to amend and reenact § 18.2-422 of the Code of Virginia, relating to prohibition of wearing masks; public health emergency exception.

10102012D

Patron: McDougle

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 Mail order pharmacy; insurer not limited to a single provider for services.

A BILL to amend and reenact §§ 2.2-2818, 38.2-3407.7, 38.2-4209.1, and 38.2-4312.1 of the Code of Virginia, relating to pharmacy freedom of choice; mail order pharmacy providers.

10104512D

Patron: Newman

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 562 Unemployment benefits; eligibility of individuals part-time employed and in training programs.

A BILL to amend and reenact §§ 60.2-612 and 60.2-618, as it is currently effective and as it may become effective, of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 60.2-613.1, relating to eligibility of certain individuals for unemployment compensation benefits.

10100813D

Patrons: Puckett, Barker, Herring, Marsden, Petersen, Puller, Reynolds, Saslaw, Ticer and Whipple; *Delegates:* Bulova, Herring, Kory, Plum, Scott, J.M., Sickles, Surovell and Watts

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 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

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 Dentists and oral surgeons; reimbursement for certain services.

A BILL to amend and reenact §§ 38.2-4214, 38.2-4319, and 38.2-4509 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 34 of Title 38.2 a section numbered 38.2-3407.17, relating to limitations by a dental plan on reimbursements for certain services provided by dentists and oral surgeons.

10104727D

Patrons: Wampler, Blevins, Locke, Lucas, Marsh, Martin, Newman, Northam, Puckett, Quayle and Wagner; *Delegates:* Abbitt, Alexander, Armstrong, Athey, Crockett-Stark, Dance, Gear, Gilbert, Howell, A.T., Hugo, Johnson, Jones, Kilgore, Loupassi, Merricks, Morefield, Morrissey, Nutter, O'Bannon, Peace, Poindexter, Purkey, Shuler, Spruill, Tyler, Ware, O. and Ware, R.L.

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 Mixed beverage licensees; ABC Board to prescribe terms under which licensees may infuse spirits.

A BILL to amend and reenact §§ 4.1-111 and 4.1-325 of the Code of Virginia, relating to alcoholic beverage control; mixed beverage licensees; flavored distilled spirits.

10104649D

Patron: Wagner

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 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

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 675 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.

10105370D

Patron: Wampler

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 693 Major business facility job tax credit; reduces threshold amount of jobs that must be created.

A BILL to amend and reenact §§ 2.2-2309 and 58.1-439 of the Code of Virginia, relating to economically distressed areas and the major business facility job tax credit.

10104165D

Patrons: McWaters, Hurt, McDougle, Norment, Vogel, Wagner and Wampler

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 706 Health insurance; coverage for mental health and substance abuse services.

A BILL to amend and reenact §§ 38.2-3412.1 and 38.2-3412.1:01 of the Code of Virginia, relating to health insurance coverage for mental health and substance abuse services.

10100804D

Patrons: Houck, Barker, Lucas, Puller and Ticer; *Delegates:* Brink and Morgan

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 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

SJ 94 Motor fuel tax; Virginia Transportation Research Council to study desirability, etc., of replacing.

Requesting the Virginia Transportation Research Council to study the desirability and feasibility of replacing the state motor fuel tax with alternatives including a mileage-based fee predicated on vehicle-miles traveled in Virginia. Report.

10105091D

Patron: Miller, J.C.

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.

Counts: HB: 29 HJ: 1 SB: 33 SJ: 1