

**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

*Summary as introduced:*

**Pawnbrokers; daily reports.** 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.

*Patron:* Knight

03/04/10 House: Conferees appointed by House  
03/04/10 House: Delegates: Knight, Iaquinto, Howell, A.T.  
03/09/10 Senate: Conference report agreed to by Senate (40-Y 0-N)  
03/09/10 House: Conference report agreed to by House (97-Y 0-N)  
03/09/10 House: VOTE: --- ADOPTION (97-Y 0-N)

**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

*Summary as introduced:*

**Certain firearms taxes; destruction of records.** 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.

*Patron:* Cole

02/23/10 Senate: Rereferred from Local Government (14-Y 0-N)  
02/23/10 Senate: Rereferred to Courts of Justice  
03/01/10 Senate: Assigned Courts sub: Special  
03/08/10 Senate: Reported from Courts of Justice (14-Y 0-N)  
03/09/10 Senate: Constitutional reading dispensed (39-Y 0-N)

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

An Act 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.

*Summary as passed House:*

**Pharmacy benefits; 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 care plans for state employees to select a single mail order pharmacy provider as an exclusive provider of pharmacy services that are delivered to the covered person's address by mail, common carrier, or delivery service. SB 535 is identical.

*Patron:* Purkey

03/03/10 House: Enrolled  
03/03/10 House: Bill text as passed House and Senate (HB116ER)  
03/03/10 House: Signed by Speaker  
03/06/10 Senate: Signed by President  
03/10/10 House: Impact statement from DPB (HB116ER)

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

An Act 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.

*Summary as passed:*

**Last drink inquiry protocol.** Provides that the Department of Criminal Justice Services has the power and duty to establish, publish and disseminate a model policy for law-enforcement personnel to use in questioning individuals suspected of driving while intoxicated concerning the physical location of the individual's last consumption of an alcoholic beverage and for communicating that information to the Alcoholic Beverage Control Board.

*Patron:* O'Bannon

03/01/10 Senate: Passed Senate with amendment (40-Y 0-N)  
03/02/10 House: Placed on Calendar  
03/03/10 House: Senate amendment agreed to by House (93-Y 4-N)  
03/03/10 House: VOTE: --- ADOPTION (93-Y 4-N)  
03/10/10 House: Bill text as passed House and Senate (HB144ER)

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

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

*Summary as passed House:*

**One-stop small business permitting program; fees for veterans.** Exempts veterans from paying the Department of Business Assistance's handling fee when establishing a small business through the one-stop small business permitting program.

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

03/01/10 Senate: Read third time

03/01/10 Senate: Passed Senate (40-Y 0-N)

03/09/10 House: Enrolled

03/09/10 House: Bill text as passed House and Senate (HB262ER)

03/09/10 House: Impact statement from DPB (HB262ER)

### **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

*Summary as introduced:*

**Alcoholic beverage control; 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.

*Patron:* Albo

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

01/19/10 House: Impact statement from DPB (HB279)

01/21/10 House: Subcommittee recommends incorporating (HB630-Scott, E.T.) (7-Y 0-N)

01/28/10 House: Subcommittee recommends incorporating (HB630-Scott, E.T.)

02/02/10 House: Incorporated by General Laws (HB630-Scott, E.T.)

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

An Act 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.

*Summary as passed House:*

**Prepaid wireless E-911 charges; collection by retailers.** Establishes the rate and procedures for the collection and remittance of prepaid wireless E-911 charges by dealers 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. The dealer is required to remit prepaid wireless E-911 charges to the Department of Taxation, and liability for the charge is placed on the end user. The Department of Taxation would be required to establish guidelines implementing this measure, which shall include an exemption for small dealers. Dealers will 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.

*Patron:* Janis

03/03/10 House: Enrolled

03/03/10 House: Bill text as passed House and Senate (HB754ER)

03/03/10 House: Impact statement from TAX (HB754ER)

03/03/10 House: Signed by Speaker

03/06/10 Senate: Signed by President

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

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

*Summary as introduced:*

**Workers' compensation insurance; 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. SB 597 is identical.

*Patron:* Poindexter

03/03/10 House: Enrolled

03/03/10 House: Bill text as passed House and Senate (HB807ER)

03/03/10 House: Signed by Speaker

03/04/10 House: Impact statement from DPB (HB807ER)

03/06/10 Senate: Signed by President

**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.

*Summary as passed House:*

**Cigarette tax; penalties for unstamped cigarettes.** Changes the 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.

*Patron:* Surovell

02/22/10 House: Bill text as passed House and Senate (HB820ER)

02/22/10 House: Impact statement from TAX (HB820ER)

02/23/10 House: Signed by Speaker

02/23/10 Senate: Signed by President

03/04/10 Governor: Approved by Governor-Chapter 35 (effective 7/1/10)

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

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

*Summary as passed House:*

**Prohibition on wearing a mask; 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 and defines the mask appropriate for the emergency.

*Patrons:* Cline and Athey

02/26/10 Senate: Constitutional reading dispensed (38-Y 0-N)

03/01/10 Senate: Read third time

03/01/10 Senate: Passed Senate (40-Y 0-N)

03/09/10 House: Enrolled

03/09/10 House: Bill text as passed House and Senate (HB869ER)

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

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

*Summary as passed House:*

**Cigarette tax; 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.

*Patron:* Cline

03/03/10 House: Enrolled

03/03/10 House: Bill text as passed House and Senate (HB874ER)

03/03/10 House: Impact statement from TAX (HB874ER)

03/03/10 House: Signed by Speaker

03/06/10 Senate: Signed by President

**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

*Summary as introduced:*

**Possession of concealed weapons.** 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.

*Patrons:* Athey, Crockett-Stark, Gilbert and Lingamfelter

02/17/10 Senate: Constitutional reading dispensed

02/17/10 Senate: Referred to Committee for Courts of Justice

03/01/10 Senate: Assigned Courts sub: Special

03/08/10 Senate: Reported from Courts of Justice with amendments (8-Y 7-N)

03/09/10 Senate: Constitutional reading dispensed (39-Y 0-N)

**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

*Summary as introduced:*

**Firearms, firearms accessories, and ammunition manufactured and retained in Virginia.**

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. This bill was incorporated into HB 69.

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

01/13/10 House: Prefiled and ordered printed; offered 01/13/10 10102252D  
01/13/10 House: Referred to Committee on Militia, Police and Public Safety  
01/28/10 House: Assigned MPPS sub: #1  
02/04/10 House: Subcommittee recommends incorporating (HB69-Carrico)  
02/12/10 House: Incorporated by Militia, Police and Public Safety (HB69-Carrico)

### **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

*Summary as introduced:*

**Corporate income tax; 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.

*Patron:* Comstock

01/13/10 House: Referred to Committee on Finance  
01/17/10 House: Impact statement from TAX (HB896)  
01/25/10 House: Assigned Finance sub: #3  
02/09/10 House: Subcommittee recommends incorporating (HB860-Cline)  
02/10/10 House: Incorporated by Finance (HB680-May)

### **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

*Summary as introduced:*

**Insurance agents; 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.

*Patron:* Abbitt

02/10/10 Senate: Referred to Committee on Commerce and Labor  
03/01/10 Senate: Reported from Commerce and Labor (13-Y 0-N)  
03/03/10 Senate: Constitutional reading dispensed (40-Y 0-N)  
03/04/10 Senate: Read third time  
03/04/10 Senate: Passed Senate (40-Y 0-N)

### **HB 943 Small Business Jobs Grant Fund; created.**

An Act 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.

#### *Summary as introduced:*

**Small Business Jobs Grant Fund.** 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.

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

02/26/10 Senate: Passed Senate with amendment (39-Y 0-N)  
03/01/10 House: Placed on Calendar  
03/02/10 House: Senate amendment agreed to by House (99-Y 0-N)  
03/02/10 House: VOTE: --- ADOPTION (99-Y 0-N)  
03/10/10 House: Bill text as passed House and Senate (HB943ER)

### **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

#### *Summary as introduced:*

**Individual health insurance coverage; 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.

*Patrons:* Sickles and Hugo

02/16/10 House: Impact statement from SCC (HB1095)  
02/17/10 Senate: Constitutional reading dispensed  
02/17/10 Senate: Referred to Committee on Commerce and Labor  
03/08/10 Senate: Reported from Commerce and Labor (15-Y 0-N)  
03/09/10 Senate: Constitutional reading dispensed (39-Y 0-N)

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

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

*Summary as introduced:*

**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.

*Patron:* Lingamfelter

03/08/10 House: Enrolled  
03/08/10 House: Bill text as passed House and Senate (HB1329ER)  
03/08/10 House: Signed by Speaker  
03/08/10 Senate: Signed by President  
03/09/10 House: Impact statement from TAX (HB1329ER)

**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

*Summary as passed House:*

**Local license fees and taxes; campgrounds, bed and breakfast establishments.** Adds campgrounds, and bed and breakfast establishments to those real property rental businesses that are not exempt from local license fees and taxes.

*Patron:* Lewis

03/04/10 Senate: Read third time  
03/04/10 Senate: Passed Senate (31-Y 7-N)  
03/04/10 Senate: Reconsideration of Senate passage agreed to by Senate (38-Y 0-N)

03/04/10 Senate: Passed Senate (31-Y 8-N)

03/05/10 House: Impact statement from TAX (HB1356ER)

**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

*Summary as introduced:*

**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.

*Patron:* Keam

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

01/26/10 House: Assigned Finance sub: #3

02/04/10 House: Impact statement from TAX (HB1359)

02/09/10 House: Subcommittee recommends incorporating (HB2-Loupassi)

02/10/10 House: Incorporated by Finance (HB2-Loupassi)

**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

*Summary as introduced:*

**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.

*Patron:* Keam

01/22/10 House: Referred to Committee on Finance  
01/26/10 House: Assigned Finance sub: #3  
01/28/10 House: Impact statement from TAX (HB1360)  
01/29/10 House: Subcommittee recommends incorporating (HB47-Lingamfelter) (4-Y 0-N)  
02/10/10 House: Incorporated by Finance (HB47-Lingamfelter)

**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

*Summary as introduced:*

**Welcome Home Vietnam Veterans Day.** 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.

*Patrons:* Bulova, Scott, E.T., Abbitt, Abbott, Albo, Alexander, Anderson, Armstrong, Athey, BaCote, Barlow, Bell, Richard P., Bell, Robert B., Brink, Byron, Carr, Carrico, Cleveland, 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

02/19/10 Senate: Assigned Rules sub: #1  
02/26/10 Senate: Reported from Rules  
03/01/10 Senate: Reading waived (40-Y 0-N)  
03/02/10 Senate: Read third time  
03/02/10 Senate: Agreed to by Senate by voice vote

**SB 27 Warranty registration cards; prohibits seller from conditioning coverage or performance of warranty.**

An Act 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.

*Summary as introduced:*

**Warranty registration cards.** 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.

*Patron:* Puller

02/26/10 House: Passed House BLOCK VOTE (96-Y 0-N)  
02/26/10 House: VOTE: BLOCK VOTE PASSAGE (96-Y 0-N)  
03/05/10 Senate: Enrolled  
03/05/10 Senate: Bill text as passed Senate and House (SB27ER)  
03/05/10 Senate: Impact statement from DPB (SB27ER)

### **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

*Summary as introduced:*

**Special license plates; 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. This bill was incorporated into SB 18.

*Patron:* Miller, Y.B.

01/04/10 Senate: Prefiled and ordered printed; offered 01/13/10 10101395D  
01/04/10 Senate: Referred to Committee on Transportation  
02/11/10 Senate: Incorporated by Transportation (SB18-Lucas) (11-Y 3-N)

### **SB 57 RS&UT; dealers selling and installing countertops shall be deemed retailers for purposes thereof.**

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

*Summary as introduced:*

**Retail sales and use tax; countertops.** 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.

*Patron:* Martin

02/24/10 House: Passed House BLOCK VOTE (99-Y 0-N)

02/24/10 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

03/01/10 Senate: Enrolled

03/01/10 Senate: Bill text as passed Senate and House (SB57ER)

03/02/10 Senate: Impact statement from TAX (SB57ER)

### **SB 64 Signs; provides local government authority to regulate.**

An Act 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.

*Summary as passed Senate:*

**Local government authority to regulate signs.** 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.

This bill is identical to HB 553.

*Patron:* Lucas

02/26/10 House: Engrossed by House as amended  
02/26/10 House: Passed House with amendments (87-Y 9-N)  
02/26/10 House: VOTE: --- PASSAGE (87-Y 9-N)  
03/02/10 Senate: House amendments agreed to by Senate (40-Y 0-N)  
03/10/10 Senate: Bill text as passed Senate and House (SB64ER)

**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 the regulation of pawnbrokers; daily reports.

10105738D

*Summary as introduced:*

**Daily reports of pawnbrokers.** Requires pawnbrokers to file daily reports electronically with local law enforcement.

*Patron:* McDougle

03/04/10 House: Engrossed by House - committee substitute SB108H1  
03/04/10 House: Passed House with substitute BLOCK VOTE (100-Y 0-N)  
03/04/10 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)  
03/08/10 Senate: House substitute agreed to by Senate (40-Y 0-N)  
03/08/10 Senate: Title replaced 10105738D-H1

**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

*Summary as passed Senate:*

**Sales and use tax exemption; 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, 2010, but prior to June 30, 2020. If purchases were made on or after July 1, 2009 but prior to July 1, 2010, the purchaser is eligible for a grant in an amount equal to any tax imposed.

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

03/02/10 House: Read second time  
03/03/10 House: Read third time  
03/03/10 House: Passed House (95-Y 0-N 1-A)  
03/03/10 House: VOTE: --- PASSAGE (95-Y 0-N 1-A)  
03/04/10 Senate: Impact statement from TAX (SB130ER)

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

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

*Summary as introduced:*

**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. This bill is identical to HB 557.

*Patrons:* Reynolds; Delegate: Armstrong

02/23/10 Senate: Bill text as passed Senate and House (SB253ER)  
02/24/10 Senate: Impact statement from DPB (SB253ER)  
02/24/10 House: Signed by Speaker  
02/25/10 Senate: Signed by President  
03/08/10 Governor: Approved by Governor-Chapter 49 (effective 7/1/10)

**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

*Summary as passed Senate:*

**Court fees.** Increases the court fees in both district and circuit court from (i) \$27 to \$75 in a district court civil action and (ii) the current scale of \$60-\$160 to \$500-\$1,000 in civil actions in circuit court. The fee increases under this bill in district court are allocated to the sheriffs' departments, and the increases in circuit court are split between the sheriffs' (85%) and the commonwealth attorneys' (15%) offices to be used exclusively for achieving the current staffing standards of the two constitutional offices. The \$10 fee for the Courts Technology Fund is removed from civil cases. The Fund still receives fees applicable to other filings in the circuit and appellate courts.

*Patrons:* Stuart and Reynolds

02/15/10 Senate: Passed Senate (23-Y 17-N)  
02/16/10 Senate: Impact statement from DPB (SB329S3)

02/18/10 House: Placed on Calendar  
02/18/10 House: Read first time  
02/18/10 House: Referred to Committee for Courts of Justice

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

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

*Summary as introduced:*

**Possession of concealed weapons in vehicles.** 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.

*Patrons:* Vogel and Martin

03/01/10 House: Read second time  
03/02/10 House: Read third time  
03/02/10 House: Passed House (74-Y 25-N)  
03/02/10 House: VOTE: --- PASSAGE (74-Y 25-N)  
03/10/10 Senate: Bill text as passed Senate and House (SB408ER)

**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.

*Summary as passed Senate:*

**Individual health insurance coverage; 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. The measure does not apply to individuals voluntarily accepting coverage under a state-administered Medicare or Medicaid program. SB 283 and SB 311 are identical.

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

03/02/10 Senate: Passed by for the day  
03/03/10 Senate: Passed by for the day  
03/04/10 Senate: Senate concurred in Governor's recommendation (25-Y 15-N)

03/08/10 House: Passed by for the day

03/09/10 House: Passed by for the day

**SB 441 Wireless E-911 charges; establishes rate and procedures for collection and remittance by dealers.**

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.

10105471D

*Summary as passed Senate:*

**Prepaid wireless E-911 charges; collection by retailers.** Establishes the rate and procedures for the collection and remittance of prepaid wireless E-911 charges by dealers 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. Each dealer is liable for the payment of prepaid wireless E-911 charges. The Department of Taxation would be required to establish guidelines implementing this measure, which shall include an exemption for smaller dealers. Dealers will 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.

*Patron:* Saslaw

03/03/10 House: Passed House with substitute (93-Y 1-N 3-A)

03/03/10 House: VOTE: --- PASSAGE (93-Y 1-N 3-A)

03/03/10 Senate: House substitute agreed to by Senate (37-Y 0-N)

03/03/10 Senate: Title replaced 10105471D-H1

03/05/10 Senate: Impact statement from TAX (SB441ER)

**SB 455 One-stop small business permitting program; exemption of handling fee for veterans.**

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

*Summary as passed Senate:*

**Permit fees; veterans exemption.** Exempts veterans from the handling fee charged by the Department of Business Assistance in connection with the establishment and operation of a small business.

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

03/03/10 Senate: Enrolled  
03/03/10 Senate: Bill text as passed Senate and House (SB455ER)  
03/03/10 Senate: Impact statement from DPB (SB455ER)  
03/03/10 House: Signed by Speaker  
03/06/10 Senate: Signed by President

**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

*Summary as passed Senate:*

**Group life insurance coverage.** Allows coverage under a group life insurance policy to be extended to insure any person in whom the insured group member has an insurable interest, as may mutually be agreed upon by the insurer and the group policyholder. HB 352 is identical.

*Patrons:* Howell and McEachin

03/02/10 House: Reported from Commerce and Labor (19-Y 1-N)  
03/03/10 House: Read second time  
03/04/10 House: Read third time  
03/04/10 House: Passed House (97-Y 3-N)  
03/04/10 House: VOTE: --- PASSAGE (97-Y 3-N)

**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

*Summary as passed Senate:*

**Cigarette tax; penalties for unstamped cigarettes.** Establishes additional 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.

*Patron:* Watkins

03/02/10 House: Read second time  
03/03/10 House: Read third time  
03/03/10 House: Passed House BLOCK VOTE (99-Y 0-N)  
03/03/10 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)  
03/04/10 Senate: Impact statement from TAX (SB476ER)

**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

*Summary as passed Senate:*

**Tobacco products tax; moist snuff.** Changes the tax on moist snuff from 10 percent of the manufacturer's sales price to \$0.18 per ounce. The bill also would provide that loose leaf tobacco would be subject to the Commonwealth's tobacco products tax on a unit and weight basis. The provisions of the bill would become effective on January 1, 2011.

*Patron:* Watkins

03/02/10 House: Read second time  
03/03/10 House: Read third time  
03/03/10 House: Passed House (92-Y 6-N)  
03/03/10 House: VOTE: --- PASSAGE (92-Y 6-N)  
03/04/10 Senate: Impact statement from TAX (SB478ER)

**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

*Summary as passed Senate:*

**Admissibility of records concerning electronic communication service or remote computing service.** 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, excluding the contents of electronic communications, 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 he is the authorized custodian, their creation was authorized and that they were made contemporaneously and relied upon in the ordinary course of business by the provider.

*Patron:* Hurt

03/09/10 House: VOTE: --- ADOPTION #2 (94-Y 0-N)  
03/09/10 House: Committee substitute agreed to 10105815D-H1  
03/09/10 House: Engrossed by House - committee substitute SB494H1  
03/09/10 House: Passed House with substitute (95-Y 0-N)  
03/09/10 House: VOTE: --- PASSAGE (95-Y 0-N)

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

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

*Summary as introduced:*

**Prohibition on wearing a mask; 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.

*Patron:* McDougle

03/01/10 House: Read second time  
03/02/10 House: Read third time  
03/02/10 House: Passed House BLOCK VOTE (99-Y 0-N)  
03/02/10 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)  
03/10/10 Senate: Bill text as passed Senate and House (SB532ER)

### **SB 535 Mail order pharmacy; insurer not limited to a single provider for services.**

An Act 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.

*Summary as passed Senate:*

**Pharmacy benefits; 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 care plans for state employees to select a single mail order pharmacy provider as an exclusive provider of pharmacy services that are delivered to the covered person's address by mail, common carrier, or delivery service. HB 116 is identical.

*Patron:* Newman

03/01/10 Senate: Enrolled  
03/01/10 Senate: Bill text as passed Senate and House (SB535ER)  
03/01/10 Senate: Impact statement from DPB (SB535ER)

03/01/10 House: Signed by Speaker  
03/02/10 Senate: Signed by President

**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

*Summary as introduced:*

**Unemployment benefits; 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.

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

01/13/10 Senate: Prefiled and ordered printed; offered 01/13/10 10100813D

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

02/01/10 Senate: Impact statement from DPB (SB562)

02/01/10 Senate: Incorporated by Commerce and Labor (SB239-Watkins) (15-Y 0-N)

**SB 622 Dentists and oral surgeons; reimbursement for certain services.**

An Act 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.

*Summary as passed Senate:*

**Dental plans; reimbursement for health care services.** Prohibits a contract between a dental plan and a dentist or oral surgeon from establishing 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, unless the services are covered services under the dental plan. The measure applies to contracts entered into, amended, extended, or renewed on or after July 1, 2010. The State Corporation Commission does not have jurisdiction to adjudicate individual controversies arising out of this measure. HB 1263 is identical.

*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.

02/26/10 House: Passed House (92-Y 4-N)

02/26/10 House: VOTE: --- PASSAGE (92-Y 4-N)

03/05/10 Senate: Enrolled

03/05/10 Senate: Bill text as passed Senate and House (SB622ER)

03/10/10 Senate: Impact statement from DPB (SB622ER)

### **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

*Summary as introduced:*

**Alcoholic beverage control; mixed beverage licensees; 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.

*Patron:* Wagner

03/03/10 House: Read second time

03/04/10 House: Read third time

03/04/10 House: Passed by temporarily

03/04/10 House: Passed House BLOCK VOTE (100-Y 0-N)

03/04/10 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

### **SB 675 Health insurance; mandated coverage for telemedicine services.**

An Act 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.

*Summary as passed Senate:*

**Health insurance; mandated coverage for telemedicine services.** Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the cost of such healthcare services provided through telemedicine services. "Telemedicine services" means the use of interactive audio, video, or other electronic media for the purpose of diagnosis, consultation or treatment. Utilization review may be undertaken to determine the appropriateness of telemedicine services.

*Patron:* Wampler

02/26/10 House: Engrossed by House as amended  
02/26/10 House: Passed House with amendment (95-Y 0-N 1-A)  
02/26/10 House: VOTE: --- PASSAGE (95-Y 0-N 1-A)  
03/02/10 Senate: House amendment agreed to by Senate (40-Y 0-N)  
03/10/10 Senate: Bill text as passed Senate and House (SB675ER)

**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

*Summary as introduced:*

**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.

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

01/22/10 Senate: Presented and ordered printed 10104165D  
01/22/10 Senate: Referred to Committee on Finance  
02/02/10 Senate: Impact statement from TAX (SB693)  
02/03/10 Senate: Incorporated by Finance (SB472-Watkins) (15-Y 0-N)

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

An Act 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.

*Summary as passed Senate:*

**Health insurance; coverage for mental health and substance abuse services.** Requires that group health insurance coverage issued to large employers provide mental health and substance use disorder benefits in parity with the medical and surgical benefits contained in the coverage, in accordance with the Mental Health Parity and Addiction Equity Act of 2008.

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

02/26/10 House: Passed House BLOCK VOTE (96-Y 0-N)  
02/26/10 House: VOTE: BLOCK VOTE PASSAGE (96-Y 0-N)  
03/05/10 Senate: Enrolled

03/05/10 Senate: Bill text as passed Senate and House (SB706ER)

03/10/10 Senate: Impact statement from DPB (SB706ER)