



VACo County Government Day at the _____ General Assembly

Virginia Association of Counties • Virginia Association of Planning District Commissions

VACo | VAPDC County Government Day Bulletin

Schedule of activities | Omni Richmond Hotel

- 9 a.m.** VACo Board of Directors • James River Salon D
- 9 a.m.** VAPDC Board of Directors • Magnolia Room
- 10:30 a.m.** VAMPO Board of Directors Meeting/Annual Meeting • Magnolia Room
- 11 a.m.** Registration • James River Ballroom Foyer
- Noon** County Government Day begins (box lunch provided) • James River Salons ABC
- Keynote Speaker: The Honorable Governor Terry McAuliffe
 - VACo Staff Reports
- 1 p.m.** Closing address and adjournment
- 1 p.m.** High Growth Coalition • James River Salon D
- Afternoon** Visit the Capitol to speak with legislators and observe committee meetings
- 2 p.m.** VAPDC Professional Development Session • Magnolia Room
- Evening** Please take your state legislators to dinner

Budget Amendments

The budget bills in play for the 2016 Session are [HB 29 \(S. Jones\)](#) / [SB 29 \(Norment\)](#) and [HB 30 \(S. Jones\)](#) / [SB 30 \(Norment\)](#).

VACo supports the following budget amendments:

K-12 Public Education Budget Amendments

- Provide maximum flexibility for the proposed \$139 million appropriation for 2,500 new teachers.
- Enact flexible state teacher salary local match requirements for the 2 percent teacher salary increase in FY 2018, by allowing up to 2 percent of any FY 2017 or FY 2018 local salary increase be used as the local required match for FY 2018.
 - Local government budgets will be under pressure to provide teacher salary increases in FY 2017 and will also be required to fully fund VRS certified rates in FY 2018.
- Support fully funding FY 2018 VRS certified teacher rates.
- Fully support the \$50 million in proposed At-Risk Add-on funding.
 - The percentage of free lunch qualified students has risen from 26 percent in 2008 to 35 percent in 2015.
 - There is a statewide 20-point SOL achievement gap for economically-disadvantaged students and minorities in Virginia.
 - At-Risk Add-on funding can be used flexibly to attract and train teachers, reduce class size, emphasize math and reading, prevent students from dropping out and offer after school wrap-around services.
- Prioritize new available funds for critical classroom expenditures not covered under the existing Standards of Quality. VACo/VML recommends covering prevailing practices for assistant principals and teacher aides.
 - Since 2003, the State Board of Education (BOE) has recommended one assistant principal (AP) for each 400 students be funded in the SOQ. The BOE reasons that AP's "have become a necessity in this age of test-based accountability, and with mounting concerns about school safety and discipline." Currently, the SOQ covers only 950 out of 2,500 APs.
 - Currently, the SOQ only covers kindergarten and special education teacher aides. Only about 2,650 out of 19,000 employed teacher aides are supported by the state. Teacher aides help provide individualized education to students who otherwise may have difficulties passing SOL tests.

Jail Per Diems – \$11.3 million in FY 2016

This amendment includes \$11.3 million in FY 2016 to cover fourth quarter reimbursements to local and regional jails, which is not sufficient to cover all the eligible expenses.

HB 599 – \$20 million in FY 2017 and \$43.4 million in FY 2018

The budget bill boosts the annual appropriation by \$6.7 million to \$179.1 million each year. The amendment is an attempt to link appropriations to general fund revenue growth. The amendment will restore the appropriation to the FY 2008 level (\$215 million) by the end of the next biennium. The legislative intent for HB 599 was to reduce the fiscal pressures that prompted cities to initiate annexation proceedings and to bring some equity to state support of law enforcement in cities and counties. Statewide, the average reimbursement was expected to be about 30 percent of local police department costs. HB 599 serves 38 cities, 9 counties and 128 towns and 69 percent of Virginians depend on police departments as first responders. The General Assembly has reduced state appropriations for the program or has provided level funding when state revenues declined or were static.

Fines & fees – Language to strike § 3-6.05 in FY 2016 - FY 2018

This language amendment will strike § 3-6.05 of the Budget Bill (HB/SB 29 and 30) in its entirety. The current budget ignores the findings of the Attorney General and the Inspector General that local fines and forfeitures belong to localities. Language was approved in the 2015 legislative session that targets an additional number of cities and 17 counties as well as a number of towns. In FY 2016, an additional \$1 million of local fines is projected to be taken by the state. The amount will increase in future years, raising the state's "take" to 50 percent of "excess" fees by the close of FY 2018.

CSA-Local match for residential treatment center – \$10.4 million in FY 2017 and \$18.5 million in FY 2018

This amendment of \$10.4 million in FY 2017 and \$18.5 million in FY 2018 is to appropriate funding to DMAS for the elimination of the local share of Medicaid costs.

Since FY 2000, localities have paid a portion of the general fund match for Residential Treatment Center and certain Foster Care Case Management costs for CSA children on Medicaid.

After the state decision to reduce support to locals for residential treatment services, there has been a measurable reduction in these placements.

In recent years, one third of all residential treatment placements were made without educational support funding.

If the state removed the matching requirement, which is not required for other Medicaid programs, localities could have more resources for the approved treatment placement process.

CSA – Administrative costs-\$1.2 million/year

This amendment increases state funding to assist local governments in the administration of the Children's Services Act. Local governments are responsible for local program oversight, accountability and administration for CSA. The state has not increased administrative funding since FY 2000.

CSA-Education-\$10.7 million in FY 2017 and \$10.7 million in FY 2018

This amendment of \$10.7 million each year (based on average costs for FY 2013) is offered to cover costs stemming from “Medicaid-only” placement decisions. Medicaid does not allow payment for educational services. But, children may be placed in residential treatment through Medicaid outside of the CSA process and without any state funding for education services. Placement outside of the CSA process nullifies the benefit of locally-based multidisciplinary case planning in addition to eliminating access to funding for educational services. In 2015, 524 children were placed in residential treatment.

Payments in lieu of taxes-Strike Item 394 H from the budget that exempts DOC from PILT

This amendment strikes budget language (Item 394 H) exempting the Department of Corrections from paying service charges.

Currently, the state Department of Corrections (DOC) is exempt from the Payment in Lieu of Taxes (PILT) for the state Department of Corrections (DOC). PILT money was eliminated in state budget in FY 2010.

Counties that are annually impacted include Sussex (\$450,000), Greensville (\$200,000), Wise (\$215,000), Southampton (\$47,000), Buckingham (\$60,000), Richmond (\$32,000), Lunenburg (\$45,000) and Fluvanna (\$70,000). Mecklenburg (\$200k) and Brunswick (\$108K) were originally impacted but prisons has since closed.

Water quality funding - \$50 million in FY 2017

The amendment proposes to re-capitalize the Stormwater Local Assistance Fund (SLAF) by \$50 million in FY 2017. The Fund provides state financial assistance for localities to reduce stormwater pollution (mandated by federal & state permits). State assistance for SLAF funding is in decline. The historical funding trend is as follows.

- Appropriation in 2013 - \$35 million (bonds)
- Appropriation in 2014 - \$20 million (bonds)
- Appropriation in 2015 - \$5 million (cash)

Juvenile Justice Transformation

VACo is supportive of items in the introduced budget that includes important changes to the Department of Juvenile Justice (DJJ) in terms of Capital costs and reinvestment. It is anticipated these changes will give all counties better access to necessary treatment services for children and families without placing any mandates upon local governments.

Capital costs:

- DJJ currently relies solely on large juvenile facilities that look and feel like adult prisons with capacities around 200.
- These are not working to rehabilitate kids since three quarters of them are reconvicted of a new offense within three years of release. We need well-built and designed JCCs for better outcomes for kids who are long-term serious offenders.
- The proposed new facilities bring almost three times as many youth will be within an hour drive of their home communities and will be built for rehabilitation and education and will have smaller overall population numbers, smaller unit sizes, modern technology for both educational opportunity and operational safety, and dedicated treatment space.

Reinvestment:

- DJJ has endured years of budget cuts has lost its continuum of services for committed kids.
- The Introduced Budget allows DJJ to reinvest savings for juvenile justice transformation to replace services and placements without increasing DJJ's overall operational budget to ensure that each community, in each region of the Commonwealth, will have access to a range of evidenced-based and effective services and alternative placement options.
- This reinvestment plan will create more equity and better outcomes across Virginia for youth, families, and overall public safety.

Economic Development and Planning Steering Committee

VACo opposes Proffer bills

[HB 770 \(Gilbert\)](#) and [SB 549 \(Obenshain\)](#) as introduced would have severely curtailed localities ability to deal with the added community infrastructure needs created by rezonings through the proffer system. Both bills have passed their respective chambers but the bills are not currently identical. Under the original language of the bill, proffer discussions and agreements would have come to a screeching halt. VACo and other local government advocates met several times with representatives of the Home Builders, the Patrons of the bills and other legislators and made

significant improvements to the bill. While some improvements have been achieved there remain some problematic provisions.

HB 770/SB 549 would:

- Regulate rezonings and proffered condition amendment applications only for residential development, including multifamily housing and any residential component of a mixed-use development.
- Apply to cash and non-cash proffers.
- Require all proffers for such residential development to only address impacts that are “specifically attributable” to the proposed development.
- Further restrict off-site proffers to only address needs created by the development to expand existing capacity of transportation facilities (including transit); public safety facilities; public school facilities; and parks. Cash and other proffers for off-site affordable housing (including the housing trust fund), libraries, or other items could no longer be offered by developers or be accepted by the County.
- Define “transportation facilities” as: new roads (but not necessarily appurtenances like sidewalks); improvement or expansion of existing roads and appurtenances; and structures (including parking) related to transit. This definition does not include stand-alone pedestrian and bicycle projects, or transit operating assistance (for example, proffered shuttles that run to Metrorail and other transit stations).
- Only allow off-site proffers that provide a “direct and material benefit” to the development. If the development creates some negative effect on the community, a proffer could not address the issue beyond the public facilities above, and only if it confers a benefit back to the development.
- Allow only applicants and property owners to challenge the grant or denial of a rezoning in circuit court.
- Increase the burden of proof on a locality that denies a rezoning or a proffered condition amendment application if the applicant proves that it failed to submit or refused to remain subject to a proffer that would not have been allowed by this section. The applicant only has to show that such a proffer was “suggested, requested, or required, formally or informally.” The locality has to prove it complied with this statute by “clear and convincing evidence,” the highest standard of proof in civil cases.
- Allow future owners of a property that has proffer conditions (agreed to by a previous owner) to seek proffer amendments and challenge existing proffers. Proffers accepted before enactment of the bill are grandfathered.
- Allow the court to grant attorney fees and costs to a successful court challenge against a locality.
- Allow the court to remand the case to the locality, ordering it to approve the rezoning without a proffer that violates this statute. The locality would have 90 days to act, and if it does not, it would be prohibited from interfering with the proposed use without the illegal proffer (in such a case, the Board would not be required to again provide public notice and conduct additional public hearings on the case).

Exemptions Included in HB 770/SB 549

HB 770/SB 549 would not apply to the following:

- Any residential development in an approved area comprehensive plan, if a portion of that plan allows a density of at least 4.0 floor area ratio (FAR) in a revitalization area that encompasses mass transit and mixed-use development;
- An approved area comprehensive plan that allows additional density within one-quarter mile of an existing or planned Metrorail station or;
- An approved area of a service district created pursuant to § 15.2-2400, if that area encompasses an existing or planned Metrorail station.

VACo will continue to work on the bills to address these issues. Please speak to your legislators to share your concerns about these bills. These new standards sharply curtail the proffers for onsite development for offsite public facility improvements that developers can offer and localities can accept. The effect of this bill will be to make it much more difficult for developers and localities to address the concerns of existing residents and to mitigate the impacts of new development. In the long run, this will be adverse to the best interests of existing residents, developers and localities.

VACo opposes limited residency bills that raise safety, zoning and tax concerns

[HB 812 \(Peace\)](#), which passed the House on a 75-22 vote, and [SB 416 \(Vogel\)](#), which is in Senate Finance, are bills that allow property owners to rent out their homes or rooms in their homes. These bills establish a state mandated law governing short-term rentals in residential area through hosting platforms such as Airbnb, FlipKey and other Internet websites. Counties are concerned about the safety of people renting the rooms, the preemption of local zoning authority and loss of tax revenue. **VACo opposes these bills.**

Both bills –

- Preempt local zoning requirements by providing that these limited residential lodgings cannot be restricted by local ordinances addressing this use.
- Allow no authority for a local zoning administrator to inspect the properties or to know that these properties have the Airbnb Use.
- Provide that property owners renting their property through these platforms must have smoke alarms and provide information on noise ordinances, trash collection, emergency numbers, etc., to renters, but includes no mechanism for the locality to know which properties are rented and therefore no mechanism for enforcement of these requirements.
- Exempt property owners who rent space in their residence for a certain number of days in a year from the definition of a business.
- Provide that property owners are required to remit taxes or, alternatively, Airbnb or other “hosting platforms” may enter into an agreement with the Department of Taxation to remit taxes.
- Allow the Department of Taxation some authority to audit, but prohibits the department from sharing any information on the transactions with localities. Further, the audit will be

conducted on the basis of anonymous numbered accounts and will not include any personally identifiable information.

- Commissioners of the Revenue or other local tax assessors are specifically prohibited from auditing the businesses.
- [This chart provides additional detailed analysis for review.](#)

Talking points for legislators

Contact your legislators and encourage them to oppose [HB 812 \(Peace\)](#) and [SB 416 \(Vogel\)](#).

- The bills usurp local zoning authority and preclude localities from determining how to regulate these types of enterprises.
- The auditing requirements are weak, and there is no way for localities to know whether the Department of Taxation has returned the correct local sales tax.
- The locality has no knowledge of the location of the rented premises and limited authority to protect the health and safety of the consumers and citizens.
- In crowded urban areas where parking is at a premium, unregulated operations of this type will make parking availability even more difficult for full-time residents.

Bills provide local governing body greater voice in process to site electric transmission lines

VACo supports [SB 136 \(Favola\)](#) / [HB 283 \(Minchew\)](#) / [HB 533 \(J. Bell\)](#), which authorize the local governing body to be able to require a State Corporation Commission public hearing in the area of a proposed high voltage transmission line. Currently, 20 or more residents in the affected area can demand such a local hearing and this bill would also allow the local governing body to make the request. This proposal is in the VACo legislative program and was adopted by the Economic Development and Planning Steering Committee. HB 283 and HB 533 will be heard in the [House Commerce and Labor Committee](#) on Thursday afternoon. Please contact your Delegates to support these bills.

Creating New Cities; Dissolving Towns

[HB 192 \(Minchew\)](#) provides an exception to the current moratorium on creating new cities to permit any town with a population in excess of 40,000 to apply for a city charter. Currently, only the towns of Blacksburg and Leesburg would be eligible. This bill was tabled by [Subcommittee #1](#) of the [House Counties, Cities and Towns Committee](#).

[HB 14 \(Ware\)](#) would repeal the charter of the Town of Columbia in Fluvanna County (population 82). HB 14 was passed by the House on February 3.

Education Steering Committee

Bills championing workforce development in public schools advance

VACo supports [SB 336 \(Miller\)](#) and [HB 895 \(Greason\)](#), companion bills that require the Board of Education, in establishing high school graduation requirements, to include components relating to career and technical training. On February 4, the bill was unanimously reported by the [Senate Education and Health Committee](#). On February 8, HB 895 was recommended by the House Education Committee's [Education Innovation Subcommittee](#).

Update on charter school initiatives

On February 2, [SJR 6 \(Obenshain\)](#) and [SJR 93 \(Obenshain\)](#) were reported on a 7-6 vote by the [Senate Privileges and Elections Committee](#). These initiatives are intended to put to referendum a constitutional amendment that would grant the Board of Education the authority to establish charter schools within the school divisions of the Commonwealth, subject to any criteria or conditions that the General Assembly may prescribe. Currently, only local school boards are authorized to approve charter schools. The rationale behind these initiatives is the alleged hesitancy by local school boards to approve charter schools. Currently, there are eight charter schools operating in Virginia.

The companion House measures – [HB 3 \(Robert Bell\)](#) and [HJR 1 \(Robert Bell\)](#) – are pending a vote by the full chamber. HB 3 and HJR 1 were reported in the [House Committee on Privileges and Elections](#) on a 10-9 vote. A full House vote on both bills are pending.

VACo opposes any initiatives that would weaken the authority of local school boards to establish charter schools.

[House Education Committee](#) has reported [HB 565 \(Lingamfelter\)](#), which changes several provisions relating to the establishment and operation of charter schools. A substitute version of the bill has a provision that allows the State Board of Education to override a decision by a local school board to deny the application for a charter school. **VACo opposes the provision.**

Talking points for legislators on all charter school initiatives

- The proposals take the decision whether to grant a charter away from local officials (in many cases elected) and place the authority with an unelected state board.
- Locally elected school boards are best equipped to assess the needs of students in their locality.
- Locally elected officials, and not an appointed state board, should be responsible for determining whether local tax dollars should be spent on charter schools.
- In Virginia there has been limited demand for charter schools. Since the law on charter schools changed in 2010 only eight applications for charter schools have been submitted for the approval of charter schools. Two of the applications were withdrawn, two are pending, and two were approved by local school boards.

Study carried over on calculation of land use value in Composite Index

[HJR 50 \(Webert\)](#) directs the Department of Education to study the effect of local use value assessment when calculating the Local Composite Index. Results from the study are to be submitted to the General Assembly no later than the first day of the 2017 Legislative Session. **VACo supports HJR 50.** The [House Rules Committee](#) carried over HJR 50 to the 2017 session.

Environment and Agriculture Steering Committee

Agreement reached on comprehensive stormwater bills

[HB 1250 \(Wilt\)](#) and [SB 673 \(Hanger\)](#) are companion measures that integrate components of Virginia's four statutes that govern the state's stormwater management program – the State Water Control Law, the Virginia Stormwater Act, Virginia's Erosion and Sediment Control Law, and the Chesapeake Bay Preservation Act.

HB 1250 and SB 673 resulted from deliberations that took place over the past 10 months by a 22-member Stakeholder Advisory Group (SAG) convened by the Department of Environmental Quality (DEQ). Initially, VACo opposed HB 1250 / SB 673 because of their failure to address a problem affecting “opt out” localities that has become known as the “donut hole,” which (due to unintended consequences of legislation passed in 2014) requires localities subject to the Chesapeake Bay Preservation Act (CBPA) to undertake stormwater functions for land disturbances between 2,500 square feet and an acre and between 10,000 square feet and one acre for all other opt out localities.

An agreement was reached to convene a reconstituted SAG that will be chaired by Delegate Keith Hodges. The new SAG will meet over the next year, with one of its chief purposes being a renewed focus on the “donut hole” problem for all opt-out localities throughout the state. The reconvened SAG is expected to make legislative recommendations to the 2017 General Assembly. With a delayed enactment date of July 1, 2017, the new SAG will have an opportunity to consider and recommend amendments to HB 1250 / SB 673 before provisions of these bills actually go into effect.

Bill introduced to fix stormwater ‘donut hole’

[HB 1340 \(Hodges\)](#) addresses the “donut hole” problem in localities subject to the Chesapeake Bay Preservation Act (CBPA) by requiring the Department of Environmental Quality to assume responsibility for managing stormwater related functions for land-disturbing activities between 2,500 square and one acre. **VACo supports this measure.** The [House Agriculture, Chesapeake](#)

[and Natural Resources Committee](#) reported HB 1340 and referred it to the [House Appropriations Committee](#) because of an impact statement estimating additional costs the state would assume if the bill were to pass.

Bill creates incentive for property owners to treat stormwater

As introduced [SB 468 \(Wagner\)](#) would have required local governments with stormwater utility fees to waive charges to property owners who are able to permanently retain stormwater on site. **VACo opposed this measure** as introduced but was able to work with the patron, the Virginia Association of Municipal Stormwater Agencies (VAMSA), and VML to develop a much more palatable substitute bill. The substitute version of SB 468 allows localities imposing stormwater utility fees to establish public-private partnership programs with financial incentives to reward property owners for undertaking programs on their own to effectively manage and treat stormwater. The patron of the bill, Senator Frank Wagner, did include an amendment to the substitute bill requiring localities to exempt from stormwater utility fees “land owned by a railroad and located within its right-of-way.” On February 9, SB 468 was unanimously reported by the [Senate Local Government Committee](#).

Bills exclude information on ‘fracking’ chemicals from FOIA

[HB 1389 \(Robinson\)](#) and [SB 706 \(Chafin\)](#) are companion bills that amend the Freedom of Information Act (FOIA) by excluding as trade secrets chemical ingredients that may be used in the process of hydraulic fracturing (or fracking). HB 1389 was introduced by unanimous consent after the deadline passed for new bills to be filed with the Division of Legislative Services. The introduction date for SB 706 was January 21.

On February 9, SB 1389 was carried over to the 2017 session by the [House General Laws Committee](#). SB 706 is still alive and in the [Senate General Laws and Technology Committee](#).

VACo opposes HB 1389 / SB 706 for the following reason – Compared to the DMME’s proposed regulations, HB 1389 / SB 706 (as introduced) provide a much less detailed suite of conditions relating to public health and safety under which chemical ingredients used for fracking would receive “trade secret” designation.

Noxious weed bill passes House

[HB 734 \(Hope\)](#) unanimously passed the House of Delegates. The measure establishes an advisory committee to evaluate certain plant types that should be designated as a noxious weed. HB 734 requires the advisory committee to consider the plant's (i) impact on water bodies, other plants, livestock, land, public health, the environment, and the economy and (ii) current and potential in-state commercial viability. **VACo supports this bill.**

Bill requiring gas collection systems in landfills carried over

The [House Agriculture, Chesapeake and Natural Resources Committee](#) carried over [HB 1358 \(Fariss\)](#) to the 2017 legislative session. HB 1358 requires active sanitary landfills that hold a Title V operating permit issued by the Virginia Air Pollution Control Board and are located within one-half mile of any residence or residentially zoned property to install a landfill gas collection and control system by July 1, 2018, whether or not the Title V operating permit requires such installation. **VACo opposed the bill as an unfunded mandate.** Delegate Fariss introduced the bill to address a severe odor problem caused by a landfill in his district. The landfill operator has made a commitment to fix the problem as soon as possible.

Bill would have required localities to post signs

[HB 479 \(Kory\)](#) would have required a locality, upon receipt of notification from the Department of Environmental Quality that a water quality violation has occurred that poses an imminent threat to the health, safety, or welfare of the public, to post signage at public access points to affected waters warning residents that the water body may be polluted. **VACo opposed this measure as an unfunded mandate.** On February 4, the bill was tabled by the House Agriculture, Chesapeake and Natural Resources Committee's [Chesapeake Subcommittee](#).

Finance Steering Committee

Problematic assessment bills

At the January 20 meeting of the [House Courts of Justice's Civil Law Subcommittee](#), **VACo successfully defeated [HB 910 \(Minchew\)](#).**

The bill provides that an appeal to the circuit court for correction of an erroneous local tax assessment filed on or after July 1, 2016, may be conducted as a jury trial, at the discretion of the taxpayer. Additionally, the bill requires that prior to the release of confidential tax information in the course of such appeal, the court orders the parties not to disclose such information to anyone not entitled to receive it. The court also informs the parties that a violation of such an order is punishable as a Class 1 misdemeanor. Finally, the bill requires a proceeding to follow the Uniform Pretrial Schedule Order provided in the Rules of Supreme Court unless the parties agree otherwise.

The most problematic component of the bill for localities is the requirement of appeals in the circuit court to be jury trials. The chief reason being that jurors are not real estate experts, particularly on income-earning commercial and industrial properties. The jurors would not have the ability to do research or ask questions. The proposed changes in the appeals process will lead to more court appeals, clogging up court calendars and increasing judicial costs that must be borne by all taxpayers

A similar bill, [SB 597 \(Cosgrove\)](#), was reported from the [Senate Finance Committee](#) with a substitute that eliminated the jury trial provision. The bill is in much better shape for local governments. We will continue to provide updates on this legislation.

Update on important tax bills

[HB 92 \(Cole\)](#), [HB 469 \(Head\)](#) and [HB 1144 \(Cole\)](#) are similar/identical bills that were referred to [House Finance Committee's Subcommittee #2](#). All bills failed to be recommended by the subcommittee.

The bills would authorize localities to withhold interest on refunds of local taxes that are the result of an erroneous assessment caused by the taxpayer's failure to file a license application or tax return prior to the filing deadline. Under current law, localities that elect to impose interest on delinquent taxes must also pay interest at the same rate on overpayments due to erroneously assessed taxes. Interest on delinquent taxes can accrue beginning no earlier than the first day following the day such taxes are due, and may not exceed 10 percent per year. Local governing bodies may impose interest at a rate not to exceed the rate of interest established in the Internal Revenue Code, or 10 percent annually, whichever is greater, for the second and subsequent years of delinquency.

VACo worked to build support for these bills before the committee took them up but the business community leveled heavy opposition.

Also, the [Senate Finance Committee](#) on January 20 heard and subsequently voted to pass by indefinitely [SB 155 \(Favola\)](#), **a bill VACo supported**.

The bill sought to increase the rate of the local cigarette tax that Arlington County and Fairfax County are authorized to impose from the amount levied under state law or 5 cents per pack, whichever is greater, to double the amount levied under state law or 5 cents per pack, whichever is greater. The portion of the revenues derived from the imposition of the tax that is greater than 30 cents per pack would be required to be annually dedicated to elementary or secondary education.

On January 27, the [House Finance Committee's Subcommittee #2](#) heard and subsequently failed to pass [HB 85 \(Campbell\)](#), **a bill VACo supported**. The bill authorizes all counties to impose a local cigarette tax at a rate limited to 5 cents per pack or the amount levied under state law, whichever is greater. All cities and towns with general taxing powers are already currently authorized to impose a cigarette tax with no rate limitations. **VACo appreciates all the support from localities on these bills.**

Bills targeting local business taxes

[HB 217 \(LeMunyon\)](#) provides that a locality may not increase the rate or assessment ratio of the Machinery and Tools Tax or Business Tangible Personal Property Tax on machinery and tools

used in a business, the Merchants' Capital Tax, or the Business, Professional and Occupational License (BPOL) tax or fee higher than the rate and assessment ratio that was applicable on January 1, 2016. The bill also provides that any locality that elects to impose the BPOL tax on Virginia taxable income may not thereafter impose the tax on gross receipts. **VACo opposed the bill** in House Finance and the bill was laid on the table in subcommittee.

[HB 545 \(Watts\)](#) and [SB 218 \(Marsden\)](#) exclude wages, salaries and other benefits paid by a staffing firm to an independent contractor working on behalf of or for the benefit of the staffing firm's clients pursuant to a professional employer organization services or temporary help services contract from the gross receipts of the staffing firm for the purposes of the BPOL Tax. To the extent that the gross receipts of taxpayers are lowered by amounts paid by staffing firms to independent contractors hired for the use of a client company, this bill would have a negative impact on local revenues. In Fiscal Year 2014, the BPOL tax and fee generated approximately \$674.3 million for the counties, cities, and towns that imposed the tax.

VACo spoke against the measures in committees and [SB 218 \(Marsden\)](#) was passed by indefinitely in [Senate Finance](#) while [HB 545 \(Watts\)](#) was carried over for the year.

Local government fiscal impact

[HB 27 \(Ware\)](#) requires local fiscal impact bills to be introduced no later than the first calendar day of the regular session of the General Assembly, unless requested by the Governor or filed in accordance with the rules of the General Assembly. **VACo supported this bill** but it was tabled by voice vote in the [House Rules Committee](#). House Rules leadership will continue to work with Delegate Lee Ware and VACo to see that this measure is refined and adopted by each legislative body in their respective rules of procedure for 2017.

Study Commission proposed to recommend changes to state and local taxation

[HB 214 \(LeMunyon\)](#) requires dissolving the existing Joint Subcommittee to Evaluate Tax Preferences and creates a new joint subcommittee to evaluate all state and local taxes and subsume the tasks of the dissolved subcommittee.

The new joint subcommittee would be directed to recommend modifications to state and local taxes that would: (i) serve to make the Commonwealth's state and local taxes simpler, more transparent, more efficient, more stable, fairer, less burdensome on economic activity, less burdensome on citizens with the lowest incomes by reducing or eliminating taxes on them, and, to the extent feasible, broader based in exchange for lower rates; (ii) produce sufficient revenue for the foreseeable future; and (iii) make the Commonwealth more competitive in relation to other states regarding job creation, business creation, and business expansion.

There are NO local elected or appointed officials proposed on the Commission. **VACo opposes the Study Commission** unless amendments reflected at least three local elected or appointed officials selected by VACo and VML. The bill passed by indefinitely in [House Rules Committee](#).

VHTF Bill Carried Over to 2017

VACo spoke in support of [SB 105 \(Locke\)](#) in the [Senate Finance Committee](#). The bill provides that 20 percent of annual recordation tax revenue in excess of \$325 million shall be deposited into the Virginia Housing Trust Fund. The bill is a recommendation of the Virginia Housing Commission. The committee voted to carry the bill over to the 2017 General Assembly Session in order to further study the implications.

Energy revenue opportunities for rural counties

[HB 1305 \(Miller\)](#) provides a Retail Sales and Use Tax exemption for machinery, tools and equipment used by a public service corporation to generate energy derived from sunlight and wind. Effective for solar energy equipment, facilities and devices placed in service after December 31, 2016, the bill also provides that the exemption from local taxation for solar photovoltaic systems only applies in full to projects equaling one megawatt or less, measured in alternating current (AC) generation capacity, and applies to 80 percent of the assessed value of projects exceeding one megawatt.

The bill also modifies the local property tax exemption for solar voltaic systems from applying in full to projects of 20 megawatts or less to applying 1) in full to projects of one megawatt or less and 2) to 80 percent of the assessed value of projects exceeding one megawatt. Given that the total capacity of all projects in Virginia in 2014 was less than 20 megawatts, applying the local property tax exemption to 80 percent of the assessed value of solar voltaic projects exceeding 20 megawatts is not expected to impact local revenues at current levels of investment. Additionally, if future solar voltaic projects are constrained so that each one does not exceed 20 megawatts in generation capacity, the provision of this bill applying the local property tax exemption to 80 percent of the assessed value of solar voltaic projects exceeding 20 megawatts would not impact local revenues.

To the extent that 20 percent of the assessed value of solar voltaic projects between one megawatt and 20 megawatts would no longer qualify for the exemption, the modification to the local property tax exemption for solar voltaic systems is estimated to result in an increase in local revenues at current levels of investment, the magnitude of which is unknown.

The bill will be up in [House Finance](#) this week and **VACo supports it** as a revenue enhancement opportunity to rural counties.

Equal taxation proposals

Many bills targeting the equalization of city/town and county taxes through specific excise taxes adopted locally have been proposed but most measures have been or are expected to be defeated; namely [SB 155 \(Favola\)](#), [HB 1198 \(Kory\)](#), [HB 85 \(Campbell\)](#), [HB 419 \(Bagby\)](#), [HB 627 \(Krizek\)](#), [HB 830 \(Hope\)](#) and [HB 1192 \(Murphy\)](#).

VACo has a long tenured commitment to support equal taxation between counties and cities/towns. To that extent, **VACo supported these bills** and has written the Chairman of Senate Finance to request the Committee study the measure and make recommendations prior to the 2017 General Assembly session. [Read the letter here.](#)

General Government Steering Committee

Bill limits local authority over communications towers

VACo opposes [HB 1347 \(Heretick\)](#), which would severely limit local authority to regulate communications towers. This is sweeping legislation affecting this entire area of law for local governments. The bill limits fees localities may charge in the permitting process, as well rents locality may charge for leasing public facilities. HB 1347 mandates the use of public rights of way and limits the ability of localities to require environmental reviews, and other common regulatory requirements, during the permitting process. VACo is actively opposing this legislation as both unnecessary and as an overreaching limit to local land use authority. This bill is on the [House Commerce and Labor Committee](#) agenda for Thursday afternoon.

Voting equipment bill dies in subcommittee

[HB 1037 \(Rasoul\)](#) prohibits the use of direct recording electronic machines (DREs) in elections on and after July 1, 2017. The governing bodies of counties and cities have been prohibited from acquiring DREs for use in elections since July 1, 2007, but under current law the use of previously acquired DREs is permitted for the remainder of their useful life.

According to the Department of Elections, 71 out of 133 localities are using direct recording electronic machines (DREs). The proposed legislation would require localities that are using DREs to replace the voting equipment prior to July 1, 2017. Localities are responsible for the purchase and maintenance of their voting equipment; therefore, the proposed legislation would result in a fiscal impact for local governments and is considered an unfunded mandate.

VACo spoke in opposition to the bill because of the negative fiscal impact to county governments. The measure was defeated in the [Campaigns Subcommittee](#) of the House Privileges and Elections Committee.

Posting of check registers bill passed by indefinitely

[SB 500 \(Sturtevant\)](#) would have required posting of check registers and other detailed financial information by state agencies, localities and school divisions. **VACo opposed this bill**, which was killed in committee. The bill would have required every locality and school division to post on the public government website of the locality a register of all funds expended, showing vendor name, date of payment, amount, and a description of the type of expense, including credit card purchases with the same information. This bill had a fiscal impact on localities.

Bill prohibits local governments from imposing ‘fees’

VACo opposes [HB 801 \(Morris\)](#), which prohibits the Commonwealth and localities from imposing a charge and calling it a "fee" unless the charge relates to a direct and immediate specific service, good or permit received by the person paying the charge. This bill is before [Subcommittee #4](#) of the House General Laws Committee on February 11.

- Prohibits localities and the state from imposing a charge and calling it a "fee" unless the charge relates to a direct and immediate specific service, good, or permit received by the person paying the charge.
- Redefines the term “fee” in state code.
- Would tie all other government entities such as water and sewer authorities who charge fees to “direct and immediate” benefits or services or permits.

VACo Members - please contact Delegates of [Subcommittee #4](#) of the House General Laws Committee and encourage them to oppose [HB 801 \(Morris\)](#) at Thursday’s meeting.

Talking points for legislators

- Reopens all of the litigation defining the standards under which localities set and charge fees.
- Threatens the ability of a locality to create maintenance, replacement, pay-go and debt service reserve funds. For example, a locality would not be able to charge connection fees that are intended to be collected to fund a plant expansion.
- Affects existing bond indentures with revenue covenants which may affect a locality’s bond rating.

Legislative Contacts

[House General Laws Committee Subcommittee #4](#)

[House General Laws Committee](#)

[House of Delegates](#)

Freedom of Information Act bills problematic for localities

In the third and final year of a comprehensive Freedom of Information Act (FOIA) study in which each meeting and record exemption is being examined and discussed, it is surprising to

note a very large number of introduced bills. Many of these bills will add further responsibilities for local governments.

Of particular concern is [HB 61 \(Morris\)](#) that provides in addition to the civil enforcement provisions of FOIA, any officer, employee or member of a public body who, without legal excuse or justification, deliberately, willfully and knowingly violates certain FOIA provisions is guilty of a Class 1 misdemeanor. This bill will be heard Thursday in the [House General Laws Committee](#). Please call your legislators and voice opposition to HB 61.

[HB 308 \(Morris\)](#) requires that public officials, appointees and employees shall use only official government-provided email accounts to conduct public business. This bill will be heard Thursday in the [House General Laws Committee](#). Please call your legislators and voice opposition to HB 308.

[HB 818 \(LeMunyon\)](#), which requires local public bodies to post a FOIA rights and responsibilities document on its website and to designate and publicly identify one or more FOIA officers whose responsibility is to serve as a point of contact for members of the public in requesting public records and to oversee the public body's compliance with the provisions of FOIA. It also requires that any such FOIA officer shall possess specific knowledge of the provisions of this chapter and be trained at least annually by the Virginia Freedom of Information Advisory Council.

[HB 334 \(Pogge\)](#) provides that in an enforcement action, if the court finds the public body violated certain meeting notice requirements, the court may invalidate any action of the public body taken at such meeting. This is problematic as there are no limits as to the time period or scope of the act which can be invalidated. This bill will be heard Thursday in the [House General Laws Committee](#). Please call your legislators and voice opposition to HB 334.

Recording Closed Sessions bill sent to House Appropriations

[HB 800 \(Morris\)](#), which requires all closed sessions be recorded, was amended by the patron to mandate both recordings and that minutes be taken in closed session. These recordings and minutes would be available in any proceeding to enforce the Freedom of Information Act. The bill was reported and referred to [House Appropriations](#) because of a large fiscal impact.

VACo Members - please contact Delegates on the [House Appropriations Committee](#) to oppose HB 800.

Talking points for legislators

- If HB 800 passes – litigation to gain access to minutes and recordings will increase.
- The bill would have a negative impact on discussions involving personnel and other sensitive topics in closed sessions.
- The bill could negatively impact a locality's bargaining and negotiation position in economic development, real estate purchase and other matters if the records are compelled and released.

- The bill would negatively impact attorney/client privileged communications in closed sessions.

Legislative Contacts

House Appropriations Committee: [Jones \(Chairman\)](#), [Ingram](#), [Cox](#), [Landes](#), [O'Bannon](#), [Lingamfelter](#), [Poindexter](#), [Massie](#), [Peace](#), [Greason](#), [Knight](#), [Anderson](#), [Garrett](#), [Stolle](#), [Rush](#), [Torian](#), [Hester](#), [Sickles](#), [James](#), [Carr](#), [McQuinn](#), [Lindsey](#)

Bill targets union activities and creates liability for local governmental entities
[SB 737 \(Obenshain\)](#) passed out of the [Senate General Laws and Technology Committee](#) on an 8-7 vote. This bill prohibits public employers from paying leave or benefits to any public employee to directly or indirectly work for or on behalf of an employee organization, professional association, labor union or labor organization. A violation is a Class 5 felony.

Bill alters notice provisions

[SB 611 \(Stanley\)](#), currently on the Senate floor, amends Va. Code § 15.2-209, a provision that requires anyone making a claim against a county, city or town to give written notice to the locality's attorney or chief administrative officer within six months after the claim arises. Failure to give that notice bars any lawsuit based on the claim. **VACo opposed SB611** because it adds language to provide that the claim may still be pursued if the locality receives actual notice of the claim within 12 months. This effectively makes the six month written notice requirement meaningless, even though it remains in the bill. SB 611 also offers no guidance about who would have to know about the claim for the locality to be considered to have notice of it. This would likely become a factual dispute to be litigated in many cases adding to the cost of defending them.

Please let your [Senator](#) know immediately that your locality opposes this bill.

Talking points for legislators

- VACo opposes the bill and pointed out the difficulty of determining when a locality could have actual notice of something.
- Actual notice is not defined in the bill.
- The bifurcated time limit of six months for written notice and one year for actual notice will be confusing and subject to much dispute.

Bill makes localities liable when an employee exceeds their authority

[SB 746 \(Wagner\)](#) as introduced would have imposed personal liability on any state or local employee whose duties include conducting inspections for purposes of civil code enforcement, if the employee's actions were found to exceed his or her statutory authority. This would have

discouraged legitimate enforcement efforts and would have made it difficult to hire and retain good employees in such jobs.

VACo as well as a number of state agencies opposed the bill.

The [Senate Courts of Justice Committee](#) reported [a substitute](#) that makes a state agency or locality liable for damages caused by an employee who intentionally exceeds his or her authority. This creates a problem as localities and their insurers generally reserve the right not to pay damages on behalf of employees who intentionally commit wrongful acts, and the costs created by this bill would be significant.

Talking points for legislators

- SB 746 attempts to intimidate employees from taking legitimate steps to protect public safety and health.
- The bill makes hiring and retention of good employees in civil enforcement positions very difficult.
- SB 746 creates enormous potential cost for both state and local governments to defend employees sued under its provisions.
- The bill is unnecessary because federal law already provides a remedy (42 U.S. Code Sec. 1983) for state and local employees who act in bad faith to violate a citizen's rights.

Further expansion of workers compensation programs defeated

This session has seen the usual number of bills introduced to expand employee workers compensation benefits, including the disease presumptions for various categories of public safety employees. A number of House and Senate bills failed.

VACo generally opposes bills that create such an unfunded mandate. One bill moving forward in this area of law is [HB 44 \(Habeeb\)](#), which revises the provision creating a presumption, in the absence of a preponderance of evidence to the contrary, that an injury is work related if an employee is physically or mentally unable to testify and there is un rebutted evidence that the injury was work related. The bill is intended to clarify that the employee's inability to testify refers to testimony about how the accident occurred and limits the measure's application to circumstances where the employee's inability to testify is because of injuries from the accident.

Annexation Moratorium Extended

VACo supports bills to extend moratorium. [SB 309 \(Hanger\)](#) extends the moratorium on city annexations until 2024. It also directs the Commission on Local Government to evaluate the structure of cities and counties and to recommend alternatives to the current moratorium. The study by COLG is to be completed by December 2018. SB 309 was passed by the Senate. [HB 945 \(Wilt\)](#) has identical language and was approved by the House on February 10.

Publication of legal notices

[HB 129 \(Richard Bell\)](#), [HB 286 \(Head\)](#), [HB 956 \(Keam\)](#) and [HB 1078 \(Boysko\)](#) were introduced to provide local governments alternative ways to disseminate legal notices in addition to the required publication in newspapers. These include the local government's website, email distribution and other means.

The [House Counties, Cities and Towns Committee](#) voted to continue all of the bills until 2017 to allow stakeholders to work on these issues.

Local government meeting agendas and public comment bill

[HB 757 \(Robert Bell\)](#) would have mandated that the agenda for all meetings be disseminated at least seven days prior to the meeting. In addition, the bill provided for at least five minutes of public comment on each item on the agenda before any action could be taken on the agenda item. [HB 757 \(Robert Bell\)](#) was amended to require a minimum of three minutes of public comment on each agenda item by each person desiring to make comments. [Subcommittee #2](#) of the House Counties, Cities and Towns Committee considered the bill and tabled it – effectively defeating the proposal.

Local Employee Grievance Procedures being challenged

[HB 1293 \(Hugo\)](#) proposes to make significant changes to local grievance procedures statewide. The bill would require that in the final step of all local grievance procedures, the parties must agree to either a certified hearing officer or three-member panel. This eliminates the opportunity for the jurisdiction to determine and state the final step of the process. This bill was requested by a law enforcement association and it is important to note that they already have the option for a three-member panel hearing under the Law Enforcement Officers Procedural Guarantee Act.

In addition, the bill invalidates all existing grievance procedures that have previously been approved by the Department of Human Resource Management. Therefore many jurisdictions would have to completely change their current grievance process.

VACo opposes this bill as it has in past sessions because it delays the grievance process and invalidates many well established and approved local grievance processes. Action by the [House Counties, Cities and Towns Committee](#) will take place Friday morning.

Talking points for legislators

- It is often difficult to get the parties to agree on panel members. The three-member panel process involves the two parties picking a panel member then attempting to agree on a third panel member. This process is cumbersome and often causes long delays and inconsistencies.
- The bill would eliminate a number of longstanding impartial grievance panels used by localities that currently work well.

- The Police Benevolent Society, the main proponent of the bill, already has the option to request a three-member panel under the Law Enforcement Officers Procedural Guarantee Act. Yet the proponent seeks to unsettle local grievance procedures statewide that are efficient, thorough and apply to all local government employees.
- The administrative hearing officers are impartial professionals who have been certified by the Executive Secretary of the Supreme Court of Virginia.
- Many counties have grievance procedures that include an impartial panel, which were approved years ago by the Virginia Department of Human Resource Management.

Legislative Contacts

House Counties, Cities and Towns Committee: [Ingram \(Chairman\)](#), [Marshall, R.G.](#), [Marshall, D.W.](#), [Poindexter](#), [Morefield](#), [Stolle](#), [Wilt](#), [Morris](#), [Hodges](#), [Webert](#), [Taylor](#), [Austin](#), [Campbell](#), [Pillion](#), [Collins](#), [Spruill](#), [Herring](#), [Mason](#), [Heretick](#), [Boysko](#), [Bell](#), [John J.](#), [Krizek](#)

Bill that shortens time to approve site plans and plats passed by

VACo Members – thank you for your help in opposing [SB 735 \(Obenshain\)](#). It was passed by on February 9 in the [Senate Local Government Committee](#).

SB 735 would have drastically reduced the time period within which a local planning commission or other agent must act on a proposed plat, site plan or plan of development for commercial developments. The bill would have shortened from 60 days to 30 days the review period for an original submission and shortens from 45 days to 20 days for action on a plat or plan which was previously disapproved.

Many counties require input from state agencies such as VDOT, DEQ or the Health Department that may not be able to respond in a timely fashion. For many smaller counties that use the planning commission as the approving body, it is common that the planning commission meets only once each month. Accordingly, depending upon when the plat or plan is submitted to the county, the 30-day time period would often be impossible to meet.

Health and Human Resources Steering Committee

Local employee participation in state health insurance plans

VACo supports [SB 675 \(Chafin\)](#) and [HB 1215 \(Kilgore\)](#), which allow local school boards and local governing bodies to elect to have all their employees and retirees, as well as the dependents of employees and retirees, eligible to participate in the state employee health insurance plan.

The local school boards and governing bodies shall be responsible for whatever portion of the cost of such insurance is not paid by the employee, except any portion that the General Assembly elects to pay. The school board and governing body of a given locality must both elect to participate in the state plan in order for their employees to participate.

[SB 675 \(Chafin\)](#) will be up in [Senate Finance](#) this week and [HB 1215 \(Kilgore\)](#) was assigned to the [Compensation and Retirement Subcommittee](#) of the House Appropriations Committee.

Talking points for legislators

- The bills are permissive, allowing localities and school boards the choice of whether to participate in the state employee health insurance plan.
- The school board and the governing body must both elect to participate in order for their employees to participate.

Legislative Contacts

[Compensation and Retirement Subcommittee](#): [Poindexter \(Chairman\)](#), [Ingram](#), [Lingamfelter](#), [Massie](#), [Garrett](#), [Carr](#), [McQuinn](#)

[Senate Finance](#): [Norment \(Co-Chair\)](#), [Hanger \(Co-Chair\)](#), [Howell](#), [Saslaw](#), [Lucas](#), [Newman](#), [Ruff](#), [Wagner](#), [McDougle](#), [Vogel](#), [Carrico](#), [Alexander](#), [Obenshain](#), [Barker](#), [Dunnavant](#)

Bill mandating health insurance credits fails

VACo worked to defeat [SB 5 \(Stanley\)](#) in the [Senate Finance Committee](#) on February 2. SB 5 would have had a negative fiscal impact on localities.

The bill would have increased the amount of the monthly health insurance credit (HIC) payable to certain local service retirees with 15 or more years of total creditable service from \$1.50 per year of creditable service capped at a maximum benefit of \$45 (30 years of creditable service) to \$4 per year of creditable service with no benefit cap.

Additionally, monthly Plan benefits for those eligible members receiving disability income from an eligible VRS plan (either disability retirement or long-term disability) would be increased to the greater of \$120, or \$4 per year of creditable service at the time of disability retirement, or \$4 per year for each year of creditable service at the time of eligibility for long-term disability.

Bill allows local DSS employees to file petitions

[SB 417 \(Vogel\)](#) is currently on the Senate Floor and needs your support.

The bill allows designated non-attorney employees of a local department of social services to (1) initiate a case on behalf of the local department by appearing before an intake officer and (2) complete, sign, and file with the clerk of the juvenile and domestic relations district court, on

forms approved by the Supreme Court of Virginia, petitions for foster care review, petitions for permanency planning hearings, petitions to establish paternity, motions to establish or modify support, motions to amend or review an order, and motions for a rule to show cause. The bill also directs directors of local departments of social services to designate non-attorney employees who are authorized to perform such tasks

VACo supports the bill.

Talking points for legislators

- Allows localities to continue the practice of designating non-attorney employees to file petitions with the court.
- Localities will avoid the cost of having to hire an attorney to perform the task.

Fostering Futures legislation

[SB 436 \(Favola\)](#) and [HB 203 \(Lingamfelter\)](#) create the Extended Foster Care Services and Support Program, also known as the “Fostering Futures” initiative, to provide foster care services and support, including foster care maintenance payments, to qualifying individuals aged 18 to 21 who were formerly in the custody of a local board of social services.

[SB 436 \(Favola\)](#) is currently before the [Senate Finance Committee’s Health and Human Resources Subcommittee](#).

[HB 203 \(Lingamfelter\)](#) was heard by the [House Appropriations Committee’s Health and Human Resources Subcommittee](#) and is currently with the [House Appropriations Committee](#) for consideration for inclusion in the budget bill.

VACo supports the legislation.

Talking points for legislators

- A state expenditure of \$2 million over the biennium would be matched by \$4 million in federal funds to implement the program.
- Since the program will be supported with state funds matched by federal funds there will be a significant savings to local social service departments.
- The program model provides equity and fairness to all youth across the Commonwealth who age out of foster care.

Transportation Steering Committee

School Bus Camera Legislation Passes out of Subcommittee

[HB 168 \(LaRock\)](#), which deals with school bus cameras, passed the House Courts of Justice Committee’s [Subcommittee on Civil Law](#) and is now before [full committee](#). VACo supports the

bill, which provides that a locality that has authorized by ordinance the installation and operation of a video-monitoring system on school buses for recording violations of unlawfully passing a stopped school bus may execute a summons for such violation by mailing a copy of the summons to the owner of a vehicle that unlawfully passed a stopped school bus.

[SB 120 \(Carrico\)](#), which incorporates [SB 16 \(Favola\)](#) and [SB 74 \(Wexton\)](#), is identical legislation to HB 168. SB 120 was report by [Senate Courts of Justice Committee](#) on February 8 and is now on the Senate Floor.

Talking points for legislators

- The bills provide for local option.
- Clarifies existing Virginia law to expressly permit the mailing of violations for illegally passing stopped school buses, as recorded by County or City-approved school bus camera video-monitoring systems.
- The bills’ changes parallel current authority in the Virginia Code that permits mailing summonses for similar traffic violations, such as the running of a red light and parking violations, etc.

Abbreviated Schedule of Committee Meetings

Thursday February 11	1/2 hr aft	Senate Agriculture, Conservation and Natural Resources; Senate Room B, General Assembly Building - 1/2 hour after adjournment (committee info)
	1/2 hr aft	House General Laws - Subcommittee #4; House Room C, General Assembly Building - 1/2 hour after adjournment of House (sub-committee info)
	Adj Sub 4	House General Laws - Subcommittee #2; House Room C, General Assembly Building - Immediately upon adjournment of Subcommittee #4 (sub-committee info)
	Adj Sub 2	House General Laws; House Room C, General Assembly Building immediately upon adjournment of Subcommittee #2 (committee info)
	1/2 hr aft	House Commerce and Labor; House Room D, General Assembly Building - 1/2 hour after adjournment of House (committee info)
	3 p.m.	Senate Finance Subcommittee on Education; 10th Floor Conference Room, General Assembly Building (sub-committee info)
	4 p.m.	House Agriculture, Chesapeake and Natural Resources - Chesapeake Subcommittee; 5th Floor East Conference Room, General Assembly Building (sub-committee info)

	4 p.m.	House Appropriations - Compensation and Retirement Subcommittee; 9th Floor Appropriations Room, General Assembly Building (sub-committee info)
	4 p.m.	House Privileges and Elections - Campaigns Subcommittee; 5th Floor West Conference Room, General Assembly Building (sub-committee info)
	4 p.m.	Northern Virginia Transportation Commission with Potomac and Rappahannock Transportation Commission; 6th Floor Speakers Conference Room, General Assembly Building
	4:30 p.m.	Senate Finance; Senate Room A, General Assembly Building (committee info)
	Adj Fin	Senate Finance Subcommittee on General Government/Technology 10th Floor Conference Room, General Assembly Building - Immediately upon adjournment of Senate Finance (sub-committee info)
	5 p.m.	Virginia Legislative Black Caucus; 6th Floor Senate Leadership Conference Room, General Assembly Building
Friday February 12	7:30 a.m.	House Finance - Subcommittee #3; 4th Floor West Conference Room, General Assembly Building (sub-committee info)
	8 a.m.	Senate Finance Subcommittee on General Government/Technology; 10th Floor Conference Room, General Assembly Building (sub-committee info)
	8 a.m.	House Counties, Cities and Towns; House Room D, General Assembly Building (committee info)
	8 a.m.	Ben Franklin Liberty Caucus; 5th Floor West Conference Room, General Assembly Building
	8 a.m.	The New Americans Caucus; 5th Floor East Conference Room, General Assembly Building
	8:30 a.m.	Senate Rehabilitation and Social Services; Senate Room B, General Assembly Building (committee info)
	9:30 a.m.	House Privileges and Elections; 9th Floor Appropriations Room, General Assembly Building (committee info)