

2019 HBAV Matrix
January 17, 2019

Bill Number	HBAV Position	Patrons	Summary	Committee
HB 2229 Affordable housing; waiver of fees.	HBAV BILL	Bagby	Affordable housing; waiver of fees. Provides that a locality may by ordinance provide for the waiver of building permit fees and other local fees associated with the construction, renovation, or rehabilitation of housing by a private-sector entity that is pursuing an affordable housing development. The bill provides that a locality may determine in its ordinance what constitutes affordable housing and may set other conditions on the waiver of fees as it determines appropriate.	01/23/19 House: Subcommittee recommends reporting (6-Y 0-N)
HB 2342 Conditional rezoning proffer	HBAV BILL	Thomas, J. Bell and Murphy	Conditional rezoning proffers. Makes extensive changes to conditional zoning provisions first enacted in 2016. Specific amendments include provisions stating that no locality shall "require" any unreasonable proffer. Under current law, no locality may "request or accept" any unreasonable proffer. Other changes include (i) allowing an applicant to submit any offsite proffer that the applicant deems reasonable and appropriate, as conclusively evidenced by the signed proffers, and (ii) provisions stating that nothing in the bill shall be deemed or interpreted to prohibit communications between an applicant or owner and the locality or shall be deemed or interpreted to prohibit presentation, analysis, or discussion of the potential impacts of new residential development or other new residential use on the locality's public facilities. Subsequent enactment clauses state that (a) the bill shall be effective as to any application for a rezoning filed on or after July 1, 2019, or for a proffer condition amendment amending a rezoning which was filed on or after July 1, 2019, or to any then pending rezoning application in which the applicant elects to proceed hereunder, by amendment of that pending application, and (b) an applicant with a pending application for a rezoning or proffer condition amendment that was filed prior to July 1, 2016, may continue to proceed under the law as it existed prior to that date, and an applicant with a pending rezoning application filed after July 1, 2016, but before July 1, 2019, or proffer condition amendment application amending a rezoning for which the application was filed after July 1, 2016, but before July 1, 2019, may continue to proceed under the law as it existed during that period.	01/24/19 House: Read third time and passed House (90-Y 7-N)

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SB 1260 Creation of conservation areas.	HBAV BILL	Sturtevant	Creation of conservation areas. Allows a planning commission to designate an area as a conservation area. Current law only allows a redevelopment and housing authority to make such designation.	01/17/19 Senate: Rereferred to Local Government
SB 1373 Conditional rezoning proffers.	HBAV Bill	Favola	Conditional rezoning proffers. Makes extensive changes to conditional zoning provisions first enacted in 2016. Specific amendments include the addition of provisions stating that no local governing body shall require any unreasonable proffer. Under current law, no locality may request or	01/21/19 Senate: Read third time and passed Senate (29-Y 10-N 1-A)
HB 1647 Virginia Fair Housing Law; unlawful discriminatory housing practices.	Support	Bourne and Bagby	Virginia Fair Housing Law; unlawful discriminatory housing practices. Prohibits any locality, its employees, or its appointed commissions from discriminating (i) in the application of local land use ordinances or guidelines; (ii) in the permitting of housing developments on the basis of race, color, religion, national origin, sex, elderliness, familial status, or handicap; or (iii) in the permitting of housing developments because the housing development contains or is expected to contain affordable housing units occupied or intended for occupancy by families or individuals with incomes at or below 80 percent of the median income of the area where the housing development is located or is proposed to be located. The bill also requires the Fair Housing Board, after determining the existence of an unlawful discriminatory housing practice and after consultation with the Attorney General, to immediately refer the matter to the Attorney General for civil action.	01/18/19 House: Referred to Committee on General Laws
HB 1715 Dams; prohibited vegetation, certain wetland vegetation allowed.	Support	Bulova	Dams; prohibited vegetation; certain wetland vegetation allowed. Prohibits the Department of Conservation and Recreation (the Department) from requiring the removal of wetland vegetation that is growing on certain portions of a dam if the vegetation is associated with an approved wetland mitigation bank that is the subject of a recorded restrictive covenant specifically protecting it from removal. Current law requires dam owners to remove all trees and other woody vegetation from dam embankments, abutments, and other surfaces. The bill also authorizes the Department, in the case of an approved wetland mitigation bank, to allow the removal of trees by flush cutting unless it determines that the grubbing of roots is necessary to protect the integrity of the dam.	01/21/19 House: Engrossed by House - committee substitute HB1715H1

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HB 1823 Virginia Fair Housing Law; unlawful discriminatory housing practices.	Support	Convirs-Fowler	Virginia Fair Housing Law; unlawful discriminatory housing practices; sexual orientation and gender identity. Adds discrimination on the basis of an individual's sexual orientation or gender identity as an unlawful housing practice. The bill defines "sexual orientation" and "gender identity."	01/01/19 House: Referred to Committee on Rules
HB 1939 Regulatory boards; adjustment of fees.	Support	Webert	Department of Professional and Occupational Regulation; adjustment of fees by regulatory boards; distribution of excess fees to regulants. Provides that following the close of any biennium, when the account for any regulatory board within the Department of Professional and Occupational Regulation shows that moneys collected on behalf of the regulatory board exceed 20 percent or \$100,000, whichever is greater, of the expenses allocated to the regulatory board for the past biennium, the regulatory board shall (i) reduce the fees levied by it for certification, licensure, registration, or permit and renewal thereof so that the fees are sufficient but not excessive to cover expenses and (ii) distribute all unspent or unencumbered revenue in excess of such limits to current regulants of the board. Under current law, these boards are required to adjust their fees when their account shows expenses allocated to it for the past biennium to be more than 10 percent greater or less than moneys collected on behalf of the board. Current law does not require the boards to distribute excess funds to regulants.	01/21/19 House: Assigned GL sub: Subcommittee #1

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HB 1966 Uniform Statewide Building Code; issuance of building permits.	Support	Yancey	Uniform Statewide Building Code; issuance of building permits. Requires local building departments, when denying an application for the issuance of a building permit, to provide to the applicant a written explanation detailing the reasons for which the application was denied. The bill provides that the applicant may submit a revised application addressing the reasons for which the application was previously denied and that, if the applicant does so, the local building department shall limit its review of the revised application to only those portions of the application that were previously deemed inadequate and that the applicant has revised.	01/14/19 House: Assigned GL sub: Subcommittee #2 01/17/19 House: Subcommittee recommends reporting with substitute (6-Y 1-N)
HB 2506 Chesapeake Bay Preservation Areas; filling low-lying areas.	Support	Hodges	Chesapeake Bay Preservation Areas; filling low-lying areas. Directs the State Water Control Board to adopt regulations allowing the owner of residential property in a Chesapeake Bay Preservation Area to deposit appropriate fill material in certain low-lying areas within 50 landward feet of a resource protection area (RPA) located on the property. The bill establishes certain provisions that the regulations shall contain and provides that no filling that is carried out in compliance with such regulations shall (i) be considered a land-disturbing activity for purposes of stormwater management and erosion and sediment control, (ii) require a Virginia Water Protection Permit, or (iii) require a permit from the Virginia Marine Resources Commission. The bill also authorizes certain localities to adopt ordinances establishing a local permit process for projects that disturb less than one acre, and it requires projects that disturb one acre or more of land to follow general permit requirements established in statute.	01/16/19 House: Assigned ACNR sub: Subcommittee #3

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HB 2655 Eviction Diversion Pilot Program; established, report.	Support	Collins	Eviction Diversion Pilot Program. Establishes the Eviction Diversion Pilot Program (the Program), consisting of specialized dockets within the existing structure of the general district courts for the cities of Danville, Hampton, Petersburg, and Richmond. The Program is initially established as a pilot program that has a delayed effective date of July 1, 2020, and that expires on July 1, 2023. The purpose of the Program is to encourage the development of consistent methods for resolving unlawful detainer actions and reduce the number of evictions of low-income persons. Parties to an unlawful detainer action in participating jurisdictions will be directed to participate in the Pilot Program upon certain findings by the court. The Executive Secretary of the Virginia Supreme Court shall submit data generated from the Program to the Virginia Housing Commission (the Commission) for the evaluation of its effectiveness and potential benefits and costs. The bill tasks the Commission with making recommendations for legislative action to the General Assembly, the Chairs of the Senate Committees on Finance and Courts of Justice, and the Chairs of the House Committees on Appropriations, Finance, and Courts of Justice in time for the 2023 legislative session.	01/11/19 House: Referred to Committee on General Laws
HB 2677 Virginia Fair Housing Law; unlawful discriminatory housing practices, etc.	Support	Robinson	Virginia Fair Housing Law; unlawful discriminatory housing practices; sexual orientation and gender identity. Adds discrimination on the basis of an individual's sexual orientation or gender identity as an unlawful housing practice. The bill defines sexual orientation and gender identity.	01/14/19 House: Referred to Committee on Rules
HB 2686 Board of zoning appeals; vote requirement.	Support	Knight	Board of zoning appeals; vote requirement. Changes the vote requirement for certain board of zoning appeals decisions from a majority of the membership to a majority of the membership present and voting.	01/22/19 House: Assigned CC & T sub: Subcommittee #2
HB 2694 Property Owners' Association Act; association meetings; notice by e-mail.	Support	Cole	Property Owners' Association Act; association meetings; notice by e-mail. Allows members of property owners' associations to elect to receive notice of meetings of the association by e-mail in lieu of the current requirement that such notice be sent by United States mail or hand delivered.	01/16/19 House: Assigned GL sub: Subcommittee #2

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<u>SB 1062 Virginia Fair Housing Law; unlawful discriminatory housing practices.</u>	Support	McClellan	Virginia Fair Housing Law; unlawful discriminatory housing practices. Provides that it is an unlawful discriminatory housing practice for any political jurisdiction or its employees or appointed commissions to discriminate in the application of local land use ordinances or guidelines, or in the permitting of housing developments, on the basis of race, color, religion, national origin, sex, elderliness, familial status, handicap, or because the housing development contains or is expected to contain affordable housing units occupied or intended for occupancy by families or individuals with incomes at or below 80 percent of the median income of the area where the housing development is located or is proposed to be located. The bill also requires the Fair Housing Board, after consultation with the Attorney General, instead of issuing a charge for a violation, to immediately refer the matter to the Attorney General for civil action in the appropriate circuit court for appropriate relief. The bill contains technical amendments.	01/18/19 Senate: Read third time and passed Senate (36-Y 4-N)
<u>SB 1109 Virginia Fair Housing Law; unlawful discriminatory housing practices, etc.</u>	Support	McClellan	Virginia Fair Housing Law; unlawful discriminatory housing practices; sexual orientation and gender identity. Adds discrimination on the basis of an individual's sexual orientation or gender identity as an unlawful housing practice. The bill defines sexual orientation and gender identity.	01/18/19 Senate: Passed Senate (31-Y 9-N)
<u>HB 1898 Va. Residential Landlord & Tenant Act; lease terms & conditions, acceptance of rent w/ reservation.</u>	Support w/amendments	Carroll-Foy	Virginia Residential Landlord and Tenant Act; lease terms and conditions; acceptance of rent with reservation. Requires a landlord to offer the tenant a written rental agreement and sets forth terms and conditions that will be applicable by operation of law if the landlord does not offer a written rental agreement. The bill also extends the amount of time that a tenant may have an unlawful detainer dismissed to two days before a writ of eviction is delivered to be executed if the tenant pays all amounts claimed on the summons for unlawful detainer to the landlord, the landlord's attorney, or the court.	01/23/19 House: Read third time and passed House BLOCK VOTE (96-Y 0-N)

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HB 2352 Real Estate Board; real estate licenses.	VAR Bill Support	Miyares	<p>Real Estate Board; real estate licenses. Clarifies that the Real Estate Board (the Board) may establish criteria delineating the permitted activities of unlicensed individuals employed by, or affiliated as an independent contractor with, real estate licensees or under the supervision of a real estate broker. Current law only permits the Board to establish such criteria for unlicensed individuals employed by or under the supervision of a real estate broker. The bill also specifies that a real estate team may hire one or more unlicensed assistants as an employee or an independent contractor. Current law does not specify the method by which real estate teams may hire independent</p>	<p>01/17/19 House: Subcommittee recommends reporting with amendment (8-Y 0-N)</p>
HB 2385 Condominium Act and Property Owners' Association Act; delivery of condominium resale certificates.	VAR Bill Support	Bulova	<p>Condominium Act and Property Owners' Association Act; delivery of condominium resale certificates and association disclosure packets; right of purchaser to cancel contract. Provides that a purchaser of a unit subject to the Condominium Act or a lot subject to the Property Owners' Association Act who receives a condominium resale certificate or association disclosure packet which is not in conformity with law may cancel the contract for such unit or lot (i) within three days after the date of the contract if the resale certificate or disclosure packet is received on or before the date that the purchaser signs the contract, (ii) within three days of receiving the resale certificate or disclosure packet if the resale certificate or disclosure packet is hand delivered, delivered by electronic means, or delivered by a commercial overnight delivery service or the United States Postal Service, and a receipt obtained; or (iii) within six days after the postmark date if the resale certificate or disclosure packet is sent to the purchaser by United States mail.</p>	<p>01/17/19 House: Subcommittee recommends reporting (8-Y 0-N)</p>

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SB 1292 Virginia Residential Property Disclosure Act; required disclosures; mineral rights.	VAR Bill Support	Vogel	Virginia Residential Property Disclosure Act; required disclosures; mineral rights. Adds to the required residential property disclosure that is furnished by the owner to a buyer that the owner of residential real property makes no representations or warranties as to the condition of the real property with regard to any conveyances of mineral rights.	01/07/19 Senate: Referred to Committee for Courts of Justice
SB 1061 Real Estate Board; unlicensed individuals employed by real estate licensees, etc.	VAR Bill Support	Mason	Real Estate Board; real estate licenses. Clarifies that the Real Estate Board (the Board) may establish criteria delineating the permitted activities of unlicensed individuals employed by, or affiliated as an independent contractor with, real estate licensees or under the supervision of a real estate broker. Current law only permits the Board to establish such criteria for unlicensed individuals employed by or under the supervision of a real estate broker. The bill also specifies that a real estate team may hire one or more unlicensed assistants as an employee or an independent contractor. Current law does not specify the method by which real estate teams may hire independent contractors. The bill also contains a technical amendment.	01/17/19 Senate: Read second time and engrossed
HB 2154 Stormwater management; grandfathered land-disturbing activities	Monitor/support	Stolle	Stormwater management; grandfathered land-disturbing activities. Authorizes any land-disturbing activity that is eligible to take place pursuant to technical criteria that were adopted by the State Water	01/21/19 House: Read first time
HB 2327 Department of Professional and Occupational Regulation; unlicensed practice; cease and desist.	VAR Bill Monitor/support	McNamara	Department of Professional and Occupational Regulation; unlicensed practice; cease and desist notices. Permits the Director of the Department of Professional and Occupational Regulation, or his designee, to issue a notice to any person unlawfully engaging in unlicensed practice of an occupation to cease and desist such activity.	01/16/19 House: Assigned GL sub: Subcommittee #1

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HB 2420 Nonconforming use; a wall built on residential property shall be grandfathered as a valid use, etc.	Monitor/Support	Bell, Richard	Grandfathering certain nonconforming use. Provides that a wall built on residential property shall be grandfathered as a valid nonconforming use, and the wall shall not be subject to removal solely due to such nonconformity, in any instance where (i) a residential property owner sought local government approval prior to 2008 for construction of a wall on the owner's property, (ii) the property owner was informed by a local official that such wall required no permit and that the structure would comply with the zoning ordinance, (iii) the wall was thereafter constructed, (iv) the locality subsequently informed the property owner that the wall was illegal, and (v) such a wall, had it been constructed as described in clauses (ii) and (iii) after 2017, would be considered a valid <u>nonconforming use not subject to removal</u> .	01/14/19 House: Assigned CC & T sub: Subcommittee #2
HB 1645 Virginia Fair Housing Law; unlawful discriminatory housing practices.	Oppose	Bourne and Bagby	Virginia Fair Housing Law; unlawful discriminatory housing practices. Adds discrimination on the basis of a person's source of income to the list of unlawful discriminatory housing practices. The bill defines "source of income" as any source that lawfully provides funds to or on behalf of a renter or buyer of housing, including any assistance, benefit, or subsidy program, whether such program is administered by a governmental or nongovernmental entity.	01/18/19 House: Referred to Committee on General Laws
HB 1670 Affordable housing; City of Richmond added to list with authority to provide dwelling unit program.	Oppose	Carr, Bagby and McQuinn; Senator: Dance	Affordable housing; City of Richmond. Adds the City of Richmond to the list of localities with authority to provide for an affordable housing dwelling unit program.	01/16/19 House: Subcommittee recommends laying on the table (7-Y 0-N)
HB 1801 Conditional rezoning proffers; extensive changes to zoning provisions.	Oppose	Ware	Conditional rezoning proffers. Makes extensive changes to conditional zoning provisions first enacted in 2016. Specific amendments include provisions stating that no locality shall "require" any unreasonable proffer. Under current law, no locality may "request or accept" any unreasonable proffer. Other changes include (i) an expansion of the definitions of "public safety facility improvement" and "public school	01/23/19 House: Subcommittee recommends passing by indefinitely (5-Y 1-N)
HB 1860 Virginia Residential Landlord and Tenant Act; nonpayment of rent, written notice of termination.	Oppose	McQuinn and Bagby	Virginia Residential Landlord and Tenant Act; nonpayment of rent; written notice of termination; time period. Changes from five to 14 days the period within which a tenant is required to pay rent after written notice of termination of the rental agreement is served by the landlord on the tenant.	01/17/19 House: Subcommittee failed to recommend reporting (2-Y 5-N)

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HB 1879 Stormwater management facilities; private residential lots; disclosure.	Oppose	Convirs-Fowler	Stormwater management facilities; private residential lots; disclosure. Directs the State Water Control Board to adopt regulations requiring any local stormwater management authority that requires a residential landowner to maintain a stormwater management facility on his property to record with the deed for the property a statement of the specifications and requirements and a schedule of audits of the facility. The bill requires the seller of any property with such a facility to disclose the specifications, requirements, and schedule of audits to a purchaser of the property.	01/21/19 House: Assigned GL sub: Subcommittee #4
HB 2019 Residential real property; required disclosures; stormwater management facilities.	Oppose	Murphy	Residential real property; required disclosures; stormwater management facilities. Requires (i) residential real property owners to disclose the presence of any stormwater management facilities located on the owner's property and any maintenance agreement for such facilities and (ii) residential real property owners subject to the declaration of a property owners' association to disclose the presence of any stormwater management facilities that the association has the obligation to repair, replace, or restore and any maintenance agreements for such facilities. The bill requires property owners' associations to disclose in the required association disclosure packet the presence of any stormwater management facilities that the association	01/14/19 House: Assigned GL sub: Subcommittee #4
HB 2062 Ground water management; human consumption.	Oppose	Carr	Ground water management; human consumption. Defines "human consumption" of ground water as drinking, food preparation, dishwashing, bathing, showering, hand washing, teeth brushing, and maintaining oral hygiene.	01/16/19 House: Assigned ACNR sub: Subcommittee #3

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HB 2101 Department of Professional and Occupational Regulation; deregulation of certain practices.	Oppose	Freitas	Department of Professional and Occupational Regulation; deregulation of the practice of landscape architects, soil scientists, and waste management facility operators. Implements the recommendations of the Joint Legislative Audit and Review Commission in its report on Operations and Performance of the Department of Professional and Occupational Regulation by eliminating licensure requirements for landscape architects, soil scientists, and waste management facility operators. The bill contains technical amendments.	01/08/19 House: Referred to Committee on General Laws 01/08/19 House: Introduced bill reprinted 19102519D
HB 2146 Land development; conservation or replacement of trees; local option.	Oppose	Turpin, Rasoul, Rodman and Roem	Land development; conservation or replacement of trees; local option. Authorizes any locality to adopt an ordinance providing for either the conservation of or the planting and replacement of trees during the land development process. Currently, only a locality within Planning District 8 with a population density of 75 persons per square mile and which is classified as an eight-hour nonattainment area for ozone under the federal Clean Air Act and Amendments of 1990, in effect as of July 1, 2008, may adopt such an ordinance for the conservation of trees and only a locality with a population density of 75 persons per square mile or within the Chesapeake Bay watershed may adopt such an ordinance for the planting and replacement of trees during the land development process.	01/23/19 House: Subcommittee failed to recommend reporting (3-Y 4-N)

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HB 2175 Virginia Residential Property Disclosure Act; Virginia Residential Landlord and Tenant Act.	Oppose	Convirs-Fowler	Virginia Residential Property Disclosure Act; Virginia Residential Landlord and Tenant Act; disclosure of special flood hazard area to prospective purchaser or renter. Requires the owner of residential real property who has actual knowledge that the property is located in one or more special flood hazard areas to provide a written disclosure when selling the property. Under current law, the owner is required to advise the buyer to exercise due diligence prior to purchasing the property. The bill also requires landlords who have actual knowledge that the residential dwelling unit is on property that is located in a special flood hazard area to disclose that information to the prospective tenant. If a tenant is not provided disclosure within 60 days of discovery that the residential dwelling unit is on property that is located in a special flood hazard area, he may terminate the lease.	01/16/19 House: Assigned GL sub: Subcommittee #2
HB 2333 Replacement of trees during development process; exceeding requirements to meet certain water goals.	Oppose	Keam	Replacement of trees during development process; exceeding requirements to meet certain water goals. Authorizes a locality to adopt an ordinance exceeding the minimum tree canopy requirements for tree preservation, planting, or replacement during the development process in order to assist in achieving certain specific water quality or water quantity goals identified in the ordinance.	01/23/19 House: Subcommittee recommends laying on the table (6-Y 1-N)
HB 2549 Cluster zoning; density calculation.	Oppose	Jones, S.C.	Cluster zoning; density calculation. Prohibits localities from including areas designated as Resource Protection Areas, pursuant to criteria developed by the State Water Control Board, in a clustering zoning density calculation and provides that nothing in the statute shall require a locality to allow a greater overall density for a clustered development than would be required on a non-clustered development.	01/14/19 House: Assigned CC & T sub: Subcommittee #2
SB 208 Impact fees; residential development.	Oppose	Stuart; Delegate: Cole	Impact fees for residential development. Repeals provisions that limit existing impact fee authority to (i) localities that have established an urban transportation service district and (ii) areas outside of such service districts that are zoned for agricultural use and that are being subdivided for by-right residential development. The effect of the repeal will be to make the existing impact fee provisions available for use by any locality that includes within its comprehensive plan a calculation of the capital costs of public facilities necessary to serve residential uses.	01/17/19 Senate: Recommitted to Local Government

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SB 944 Cash proffers; impact fees.	Oppose	Stuart	Cash proffers; impact fees. Removes various provisions granting localities authority to accept cash proffers as part of the conditional rezoning process. The bill repeals provisions that limit existing impact fee authority to (i) localities that have established an urban transportation service district and (ii) areas outside of such service districts that are zoned for agricultural use and that are being subdivided for by-right residential development. The effect of the repeal will be to make the existing impact fee provisions available for use by any locality that	01/17/19 Senate: Recommitted to Local Government
SB 1143 Conditional rezoning proffers; extensive changes to zoning provisions.	Oppose	Peake	Conditional rezoning proffers. Makes extensive changes to conditional zoning provisions first enacted in 2016. Specific amendments include provisions stating that no locality shall "require" any unreasonable proffer. Under current law, no locality may "request or accept" any unreasonable proffer. Other changes include (i) an expansion of the definitions of "public safety facility improvement" and "public school facility improvement"; (ii) allowing an applicant to submit any offsite proffer that the applicant deems reasonable and appropriate, as conclusively evidenced by the signed proffers; and (iii) provisions stating that nothing in the bill shall be deemed or interpreted to prohibit communications between an applicant or owner and the locality or shall be deemed or interpreted to prohibit presentation, analysis, or discussion of the potential impacts of new residential development or other new residential use on the locality's public facilities either onsite or offsite that are specifically attributable to such development. Final enactments state that (a) the bill shall be effective as to any application for a rezoning or proffer condition amendment filed on or after July 1, 2019, or to certain other pending applications, and (b) an applicant with a pending application for a rezoning or proffer condition amendment that was filed prior to July 1, 2016, may elect to proceed under the law as it existed prior to that date, and an applicant with a pending application for a rezoning or proffer condition amendment filed on or after July 1, 2016, but before July 1, 2019, may elect to proceed under the law as it existed during that period.	01/15/19 Senate: Passed by indefinitely in Local Government (12-Y 1-N)

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HB 1614 Local Stormwater Management Fund; grant moneys.	Monitor	Cole and Thomas; Senator: Reeves	Local Stormwater Management Fund; grant moneys. Authorizes any locality to provide by ordinance for the creation of a local Stormwater Management Fund (the Fund) for the purpose of granting funds to an owner of private property or a common interest community for stormwater management and erosion prevention. The bill requires grants from the Fund to be used exclusively for construction, improvement, or repair of a stormwater management facility or for erosion and sediment control. The Fund shall exclusively comprise appropriated local moneys.	Referred to Committee on Counties, Cities and Towns 01/14/19 House: Assigned CC & T sub: Subcommittee #3
HB 1660 Landlord and tenant; landlord may obtain certain insurance for tenant, notice to tenant.	Monitor	Delaney	Landlord and tenant; landlord may obtain certain insurance for tenant; notice. Requires a landlord that has purchased damage insurance coverage on behalf of a tenant to provide a notice to the tenant that, in case of damage to the property, (i) the landlord is not responsible for the tenant's personal property, (ii) the damage insurance purchased by the landlord only covers the structure and not the tenant's personal property, and (iii) if the tenant wishes to protect his personal property, he should obtain renter's insurance. The bill contains technical amendments.	01/17/19 House: Subcommittee recommends reporting with substitute (7-Y 1-N)
HB 1816 Land preservation tax credit; extends allowable time to claim credit.	Monitor	Fariss	Land preservation tax credit; allowable time to claim credit. Extends the amount of time a taxpayer is allowed to claim the land preservation tax credit to December 31 of the second year following the calendar year that the eligible conveyance of land was made. Under current law, the credit must be claimed by December 31 of the first year following the calendar year of the conveyance.	01/16/19 House: Read first time 01/17/19 House: Motion to rerefer to committee agreed to 01/17/19 House: Rereferred

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HB 1822 Virginia Water Quality Improvement Fund; grant for wastewater conveyance facility, etc.	Monitor	Bulova	<p>Virginia Water Quality Improvement Fund; grant for wastewater conveyance facility; estimates of future funding requests; Stormwater Local Assistance Fund. Authorizes the Director of the Department of Environmental Quality (the Department) to authorize grants from the Virginia Water Quality Improvement Fund (the Fund) for the installation of certain wastewater conveyance infrastructure. Any such infrastructure shall divert wastewater from one publicly owned treatment works that is eligible for grant funding to another such eligible treatment works and shall result in no more expense to the Fund than would otherwise be incurred to install eligible nutrient removal technology or other treatment technology at the treatment works from which the wastewater will be diverted.</p> <p>The bill also directs the Department to consult with stakeholders annually to estimate the amount of grant funding that local governments will request during the upcoming year from (i) the Fund and (ii) the Stormwater Local Assistance Fund and to submit those estimates to the Governor as part of a biennial funding report and an annual progress report that are required by current law. The bill contains technical amendments.</p>	01/17/19 House: Assigned App. sub: Commerce, Agriculture, Natural Resources & Technology
HB 1885 Department of Health and Board of Health; mitigating the risks of radon.	Monitor	Bell, Richard	<p>Department of Health and Board of Health; mitigating the risks of radon. Directs the Department of Health to develop programs to educate the public about and increase public awareness of radon, sources of radon, potential adverse health impacts of radon exposure, and options for testing for and mitigating the presence of radon and to provide guidance on selecting qualified radon testing or mitigation professionals. The bill also directs the Board of Health to establish a program for the regulation of radon testing or mitigation professionals, including requirements for (i) certification of radon testing or mitigation professionals and (ii) radon testing and mitigation protocols.</p>	01/03/19 House: Referred to Committee on Health, Welfare and Institutions
HB 1901 Virginia Property Owners' Association Act; rights of lot owners.	Monitor	Convirs-Fowler	<p>Virginia Property Owners' Association Act; rights of lot owners. Requires a property owners' association to provide the count and final outcome of a vote on any matter requiring a vote by the association's membership to any lot owner who requests such information. This bill is a recommendation of the Virginia Housing Commission</p>	01/14/19 House: Assigned GL sub: Subcommittee #2

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HB 1913 Subdivision ordinance; sidewalks.	Monitor	Bulova	Subdivision ordinance; sidewalks. Allows any locality to include provisions in its subdivision ordinance requiring that where a lot being subdivided or developed fronts on an existing street and the provision of a sidewalk is in accordance with the locality's adopted comprehensive plan, the locality may require the dedication of land for, and construction of, a sidewalk on the property being subdivided or developed.	01/14/19 House: Assigned CC & T sub: Subcommittee #2
HB 1922 Summons for unlawful detainer; initial hearing, subsequent filings, termination notice.	Monitor	Bourne, Bagby, Price and Rasoul	Summons for unlawful detainer; initial hearing; subsequent filings; termination notice. Provides that when a plaintiff requests that an initial hearing on a summons for unlawful detainer be set on a date later than 21 days from the filing of such summons, the initial hearing shall not be set on a date later than 30 days after the date of the filing. The bill further provides that an order of possession for the premises in an unlawful detainer action shall not be entered unless the plaintiff or the plaintiff's attorney or agent has presented a copy of a proper termination notice that the court admits into evidence. The bill allows a plaintiff to amend the amount alleged to be due and owing in an unlawful detainer action to request all amounts due and owing as of the	01/24/19 House: Passed by for the day
HB 1923 Virginia Residential Landlord and Tenant Act; noncompliance with rental agreement; tenant's right	Monitor	Bourne, Bagby and Rasoul	Virginia Residential Landlord and Tenant Act; noncompliance with rental agreement; tenant's right to reasonable attorney fees. Provides that a tenant is entitled to reasonable attorney fees when an action brought by a landlord to enforce the terms of a rental agreement is dismissed at the request of the tenant or tenant's attorney or judgment is entered in favor of the tenant.	01/14/19 House: Assigned GL sub: Subcommittee #2
HB 1962 Common Interest Community Board; enforcement; issuance of compliance orders.	Monitor	Bulova	Common Interest Community Board; enforcement; issuance of compliance orders. Authorizes the Common Interest Community Board to issue orders requiring governing boards and developers under the (i) Condominium Act (§ 55-79.39 et seq.), (ii) Virginia Real Estate Time-Share Act (§ 55-360 et seq.), and (iii) Virginia Real Estate Cooperative Act (§ 55-424 et seq.) to take affirmative action to correct certain conditions to come into compliance with relevant statutory requirements. Currently the Board is limited to temporary and permanent cease and desist orders.	01/14/19 House: Assigned GL sub: Subcommittee #2 01/17/19 House: Subcommittee recommends reporting (8-Y 0-N)

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HB 2030 Common interest communities; reserves for capital components; budget.	Monitor	Bulova	Common interest communities; reserves for capital components; budget. Requires the annual association budget, or summary of the budget, to be available to the owners prior to the end of the fiscal year. As part of the five-year cash-reserve study to repair, replace and restore capital components, a statement must be included outlining the amount of the reserves recommended in the study and the amount of current cash available for replacement of the reserves.	01/23/19 House: VOTE: BLOCK VOTE PASSAGE (96-Y 0-N)
HB 2054 Virginia Residential Landlord and Tenant Act; rental agreement; provisions made applicable.	Monitor	Carr and Bourne	Virginia Residential Landlord and Tenant Act; rental agreement; provisions made applicable by operation of law. Requires a landlord to offer the tenant a written rental agreement containing the terms governing the rental of the dwelling unit and setting forth the terms and conditions of the landlord tenant relationship. The bill provides that in the event a written rental agreement is not offered by the landlord, a rental tenancy shall be deemed to exist by operation of law and establishes the terms and conditions of that tenancy. This bill is a recommendation of the Virginia Housing Commission.	01/23/19 House: Read third time and passed House BLOCK VOTE (96-Y 0-N)
HB 2063 Ground water withdrawals; waste.	Monitor	Carr	Ground water withdrawals; waste. Provides that when the State Water Control Board determines that surface water is reasonably available for use in a ground water management area, the use of ground water other than from the surficial aquifer in such management area for a purpose other than human consumption shall be deemed to constitute waste. The bill prohibits the issuance of a ground water withdrawal permit to	Referred to Committee on Agriculture, Chesapeake and Natural Resources

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HB 2064 Ground water withdrawals; allocation.	Monitor	Carr	<p>Ground water withdrawals; allocation. Requires any person applying for a ground water withdrawal permit in the Eastern Virginia Groundwater Management Area (EVGMA) who proposes to use 50 percent or more of the water to be withdrawn for human consumption to submit documentation of such use to the State Water Control Board (the Board). The bill requires the Board to conduct a technical evaluation to determine whether the proposed withdrawal, when combined with all existing lawful withdrawals, will lower water levels in any confined aquifer. The bill prohibits the Board from issuing a permit for such human consumptive use if the withdrawal would lower levels in any confined aquifer below a point representing 80 percent of the distance between the land surface and the top of the aquifer. For a use that does not qualify as a human consumptive use, the bill prohibits the Board from issuing a permit if the withdrawal would lower such levels below a point representing eight percent of the distance between the land surface and the top of the aquifer.</p> <p><u>The bill requires any existing permittee who wishes to be considered a</u></p>	<p>01/16/19 House: Assigned ACNR sub: Subcommittee #3</p>
HB 2081 Common Interest Community Board; association fees; Common Interest Management Information fund.	Monitor	Watts	<p>Common Interest Community Board; association fees; Common Interest Community Management Information Fund. Eliminates annual assessments levied by the Common Interest Community Board. The bill allows for the collection of application, renewal, and annual reporting fees set by the Board in accordance with a biennial assessment of the Common Interest Community Management Information Fund similar to the assessment required by the Callahan Act (§ 54.1-113).</p>	<p>01/17/19 House: Subcommittee recommends reporting with amendment (8-Y 0-N)</p>

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HB 2085 Transit funding.	Monitor	Watts	Transit funding. Raises the existing regional transportation fee, a grantor's tax, from \$0.15 per \$100 to \$0.20 per \$100 for localities in the Northern Virginia Transportation Authority that are also members of the Northern Virginia Transportation District. The bill requires half of the revenues to be deposited in the Northern Virginia Transportation Authority Fund and half to be deposited in the Washington Metropolitan Area Transit Authority (WMATA) Capital Fund. The rate of tax in the other localities will remain at \$0.15 per \$100, with one-third of the revenues to be retained by the locality to be used for transportation purposes and the other two-thirds to be deposited in the Northern Virginia Transportation District Fund. The bill also raises the existing transient occupancy tax in the localities located in the Northern Virginia Transportation District from \$2 to \$3, with all of the revenues from the tax being used to support WMATA.	01/07/19 House: Referred to Committee on Rules
HB 2103 Stormwater management plans; erosion and sediment control plans; portion of project.	Monitor	Freitas	Stormwater management plans; erosion and sediment control plans; portion of project. Directs the State Water Control Board to establish a procedure that allows an operator to submit stormwater management plans that are sufficient for a particular proposed land-disturbing activity without requiring such plans to cover any subsequent land-disturbing activity anticipated at the same location or an adjacent location. The bill also amends a provision of the law that is not yet effective, directing the establishment of the same procedure as it applies not only to stormwater management plans but also to erosion and sediment control plans.	01/16/19 House: Assigned ACNR sub: Subcommittee #3

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HB 2139 Transfer of development rights; specified sending and receiving areas.	Monitor	Thomas	Transfer of development rights; specified sending and receiving areas. Authorizes a locality to designate receiving areas or receiving properties that shall receive development rights only from certain sending areas or sending properties specified by the locality. The bill also authorizes a locality to provide for areas defined similarly to urban development areas in the ordinance relating to the transfer of development rights. Current law only authorizes inclusion of urban development areas.	01/24/19 House: VOTE: BLOCK VOTE PASSAGE #2 (97-Y 0-N)
HB 2176 Department of Professional and Occupational Regulation; powers of Real Estate Board.	Monitor	Convirs-Fowler	Department of Professional and Occupational Regulation; powers of Real Estate Board; active duty military spouses; license reciprocity. Requires the Real Estate Board to issue a real estate license to any applicant whose spouse is the subject of a military transfer to the Commonwealth, who accompanies such spouse to the Commonwealth, and who holds a similar license or certification issued by another state, provided that the license or certification is valid and the applicant is in good standing with the regulatory entity that issued the license or certification. The bill provides that any such applicants shall not be	01/16/19 House: Assigned GL sub: Subcommittee #1
HB 2243 Virginia Energy Efficiency Revolving Fund.	Monitor	Sullivan	Virginia Energy Efficiency Revolving Fund. Creates the Virginia Energy Efficiency Revolving Fund to provide no-interest loans to any locality, school division, or public institution of higher education for energy conservation or efficiency projects.	01/14/19 House: Assigned App. sub: Commerce, Agriculture, Natural Resources & Technology
HB 2262 Managing agent of landlord.	Monitor	Campbell	Managing agent of landlord. Clarifies that for the purposes of signing pleadings and other papers and obtaining a judgment for possession or for rent or damages in general district court, the managing agent of a landlord may act on behalf of the business, provided that he is acting pursuant to the written property management agreement.	01/24/19 House: Read second time and engrossed

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HB 2295 Energy Efficiency Fund, Board, and Program.	Monitor	Sullivan	Energy Efficiency Fund, Board, and Program. Establishes the Energy Efficiency Fund (the Fund) with such funds as shall be appropriated and such other funds as it receives. Moneys in the Fund are to be used to finance cost-effective energy efficiency projects. The measure establishes the Energy Efficiency Board (the Board) to identify such projects and authorize the chairman to spend moneys in the Fund. The Board is directed to identify and provide funding for cost-effective energy efficiency projects that (i) give priority to funding cost-effective energy efficiency projects that will benefit low-income Virginians or assist multifamily projects and (ii) do not replace existing demand side management programs and other energy efficiency initiatives conducted by a public utility. The measure requires the Board to contract with an organization to implement any of the cost effective energy efficiency projects financed through the Fund.	01/14/19 House: Assigned App. sub: Commerce, Agriculture, Natural Resources & Technology
HB 2304 Virginia Residential Landlord and Tenant Act; disclosure of relationship.	Monitor	Leftwich	Virginia Residential Landlord and Tenant Act; disclosure of relationship between landlord and insurance company. Requires a landlord, prior to the execution or renewal of a rental agreement, to provide a written disclosure to a tenant in cases where (i) there exists a business or financial relationship between the landlord and any insurance company (a) providing to the landlord any insurance coverage that under current law the landlord may require as a condition of tenancy or (b) referred by the landlord to a tenant to obtain such insurance coverage and (ii) any such coverage contains a waiver of subrogation provision. The bill defines the term "business or financial relationship."	01/16/19 House: Assigned GL sub: Subcommittee #2
HB 2314 Local enterprise zone; traffic plan.	Monitor	Hodges	Local enterprise zone; traffic plan. Requires that, upon petition of a locality that has adopted a local enterprise zone development taxation program, the Department of Transportation, in consultation with the Virginia Economic Development Partnership and relevant local economic officials, shall develop a traffic plan to support and encourage the development of businesses located in such program zone.	01/15/19 House: Assigned Finance sub: Subcommittee #2

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HB 2361 Stormwater management; land-disturbing activities; prior technical criteria.	Monitor	Jones, S.C.	Stormwater management; land-disturbing activities; prior technical criteria. Provides that beginning July 1, 2019, all land-disturbing activities that are regulated pursuant to the Stormwater Management Act shall meet the technical criteria for stormwater management that were adopted by the State Water Control Board during 2011 and became effective July 1, 2014. Under current regulations, certain projects are grandfathered under the technical criteria that applied prior to July 1, 2014.	01/16/19 House: Assigned ACNR sub: Subcommittee #3
HB 2374 Validity of long-term lease of real property.	Monitor	Garrett	Validity of long-term lease of real property. Provides that no lease of real property for a term of five years or more shall be deemed invalid solely because it lacks a seal or a seal substitute. This bill is in response to The Game Place, L.L.C., et al. v. Fredericksburg 35, LLC, 295 Va. 396, 813 S.E.2d 312 (Va. 2018).	01/08/19 House: Referred to Committee on General Laws
HB 2375 Adoption of zoning ordinance.	Monitor	Roem	Adoption of zoning ordinance. Provides that if a local governing body reduces the time period by which a planning commission shall review a proposed zoning ordinance amendment to less than 100 days, the governing body shall hold at least one public hearing on the proposed reduction of the commission's review period and publish notice of such public hearing at least two weeks prior to the public hearing date.	01/24/19 House: Passed House (95-Y 2-N)
HB 2389 Virginia Housing Trust Fund; revenue deposits; recordation tax.	Monitor	Lopez	Virginia Housing Trust Fund; revenue deposits; recordation tax. Provides that 20% of annual recordation tax revenue in excess of \$325 million shall be deposited into the Virginia Housing Trust Fund.	01/16/19 House: Subcommittee recommends laying on the table (4-Y 3-N)
HB 2403 Impacts to wetlands; permit requirements for compensation.	Monitor	Hodges	Impacts to wetlands; permit requirements for compensation. Requires the State Water Control Board to evaluate Virginia Water Protection Permits mitigation options for impacts to wetlands on a case-by-case basis with consideration for which option is most practicable and ecologically and environmentally preferable, including, in terms of replacement of acreage and functions, the greatest likelihood of success and reduction of temporal loss of acreage and function. Preference shall be given first to mitigation bank credits, then to permittee-responsible mitigation under a watershed approach conducted before or concurrently with project impacts, over in-lieu fee program credits that have not met success criteria.	01/16/19 House: Assigned ACNR sub: Subcommittee #3

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HB 2502 Landlord and tenant; maintenance standards.	Monitor	Rasoul	Landlord and tenant; maintenance standards. Requires landlords to Fully comply with the minimum standards set forth in the International Property Maintenance Code in addition to any requirements of applicable building and housing codes. The bill also makes failure to fully comply with the provisions of the International Property Maintenance Code material noncompliance by the landlord for the purposes of a tenant filing for relief.	01/09/19 House: Referred to Committee on General Laws
HB 2637 Loans and grants for agricultural best management practices; riparian buffers.	Monitor	Webert	Loans and grants for agricultural best management practices; riparian buffers. Authorizes the State Water Control Board to issue loans and grants from the Virginia Water Facilities Revolving Fund for the construction, renovation, improvement, or equipping of facilities or structures to implement agricultural best management practices to prevent pollution of state waters. Current law authorizes the Board to only issue loans for the construction of such facilities. The bill includes among the types of facilities or structures for which a loan or grant may be issued riparian buffers planted in trees and maintained in accordance with the terms and conditions of the loan or grant.	01/16/19 House: Assigned ACNR sub: Subcommittee #3
HB 2647 Condominium Act; meetings of unit owners' associations; proxy voting.	Monitor	Reid	Condominium Act; meetings of unit owners' associations; proxy voting. Provides that any proxy shall be void if not signed by the unit owner or, in cases where the unit owner is more than one person, by all such unit owners. The bill provides, however, that in cases where the unit owner is more than one person, any such unit owner may designate another owner to sign all proxies on such unit owner's behalf. Under current law, the proxy of any person is void if not signed by a person having authority, at the time of the execution thereof, to execute deeds on behalf of that person.	01/11/19 House: Referred to Committee on General Laws
HB 2705 Historic rehabilitation tax credit.	Monitor	Bloxom	Historic rehabilitation tax credit. Provides that the \$5 million per year limit on the amount of historic rehabilitation tax credit that may be claimed by each taxpayer, which currently expires on January 1, 2019, shall apply to all future taxable years.	01/24/19 House: Read second time and engrossed

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SB 1080 Property & Conveyances; revision of Title 55 to create Title 55.1, pertains to rental property, etc.	Monitor	Edwards	Revision of Title 55. Creates proposed Title 55.1 (Property and Conveyances) as a revision of existing Title 55 (Property and Conveyances). Proposed Title 55.1 consists of 29 chapters divided into five subtitles: Subtitle I (Property Conveyances), Subtitle II (Real Estate Settlements and Recordation), Subtitle III (Rental Conveyances), Subtitle IV (Common Interest Communities), and Subtitle V (Miscellaneous). The bill organizes the laws in a more logical manner, removes obsolete and duplicative provisions, and improves the structure and clarity of statutes pertaining to real and personal property conveyances, recordation of deeds, rental property, common interest communities, escheats, and unclaimed property. The bill has a delayed effective date of October 1, 2019, and is a recommendation of the Virginia Code Commission.	01/23/19 Senate: Constitutional reading dispensed (39-Y 0-N)
SB 1086 Common Interest Community Board; administrative proceedings.	Monitor	Cosgrove	Virginia Real Estate Time-Share Act; Common Interest Community Board; administrative proceedings. Conforms language regarding temporary cease and desist orders to similar proceedings in § 55-79.100 under the Condominium Act (§ 55-79.39 et seq.). The bill removes language that (i) requires hearings of the Board to be formal in nature and to be held in the County of Henrico and at least monthly and (ii) provides the Board with investigative powers already given to and more appropriately exercised by the Director of the Department of Professional and Occupational Regulation.	01/18/19 Senate: Read third time and passed Senate (40-Y 0-N)
SB 1119 Mechanics' liens; right to withhold payment.	Monitor	Petersen	Mechanics' liens; right to withhold payment. Specifies that the use of funds paid to a contractor or subcontractor by such contractor or subcontractor before paying all amounts due for labor performed or material furnished gives rise to a civil cause of action for a party who is owed such funds. The bill further specifies that such cause of action does not affect a contractor's or subcontractor's right to withhold payment for failure to properly perform labor or furnish materials and that any contractual provision that allows a party to withhold funds due on one contract for alleged claims or damages due on another contract is void as against public policy.	01/16/19 Senate: Failed to report (defeated) in Courts of Justice (6-Y 7-N)

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[SB 1168 Department of Professional and Occupational Regulation; regulatory boards; expungement.](#)

	Monitor	DeSteph	Department of Professional and Occupational Regulation; regulatory boards; expungement of disciplinary records. Authorizes any regulatory board within the Department of Professional and Occupational Regulation to expunge the disciplinary record of a regulant, provided that (i) the regulant's written application for expungement is made at least five years from the date of final disposition of the disciplinary record, (ii) the disciplinary record is the only disciplinary record that the regulant has with a regulatory board, (iii) the regulant is not the subject of an active investigation related to professional or occupational conduct, (iv) the regulant is not in a current disciplinary status and any fees or fines assessed have been paid in full, and (v) the regulant has not had a disciplinary record previously expunged by the regulatory board. The bill defines "expungement" as the removal of a disciplinary record by (a) permanently sealing the affected record from public access, (b) deeming the proceedings to which the affected record refers as not having occurred, and (c) affording the affected party the right to represent that no record exists regarding the subject matter of the affected record. Under the bill, a regulatory board may use a previous discipline for any regulatory purpose or release records of a previous discipline upon request from law enforcement or any other governmental body as permitted by law.	01/24/19 Senate: Defeated by Senate (12-Y 27-N)
<u>SB 1169 Apprentice agreements; ratio of apprentices to journeymen.</u>	Monitor	DeSteph	Apprentice agreements; ratio of apprentices to journeymen. Prohibits the Apprenticeship Council from adopting standards for apprenticeship agreements governing the numeric ratio of journeymen to apprentices that require more than one journeyman per two apprentices. Under the bill, this limit on the ratio of journeymen to registered apprentices does not apply to work performed under the federal Davis-Bacon Act.	01/23/19 Senate: Constitutional reading dispensed (39-Y 0-N)
<u>SB 1196 Real property tax exemption for the elderly and disabled; improvements to a dwelling.</u>	Monitor	Dance	Real property tax exemption for the elderly and disabled; improvements to a dwelling. Provides that, for purposes of the real property tax exemption for the elderly and disabled, certain improvements to exempt land and the land such improvements are situated on shall be included as part of the dwelling and exempt from tax.	01/03/19 Senate: Referred to Committee on Finance

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<u>SB 1208 Water impounding structures; portable pumping systems.</u>	Monitor	Stuart	Water impounding structures; portable pumping systems. Directs the Soil and Water Conservation Board to promulgate regulations that allow for the use of a portable pumping system when retrofitting an existing impoundment structure with a draining device.	01/04/19 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources
<u>SB 1212 Water improvement districts; assessment of service charge; referendum.</u>	Monitor	Newman	Water improvement districts; assessment of service charge; referendum. Removes provisions authorizing a water improvement district to levy a tax on owners of land within the district. The bill removes the requirement that owners of land approving a referendum regarding assessment of a service charge also represent two-thirds of the land area in such district. The bill contains an emergency clause.	01/04/19 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources
<u>SB 1219 Department of Professional and Occupational Regulation; Board for Contractors; alternate designated employee.</u>	Monitor	Newman	Department of Professional and Occupational Regulation; Board for Contractors; alternate designated employee. Authorizes any member of a contractor's responsible management who is at least 18 years of age to serve as an alternate designated employee, provided that he has completed the required examination. A contractor may submit a qualified alternate designated employee to serve as the designated employee of record with the Board to replace a designated employee who is no longer a full-time employee of the contractor.	01/04/19 Senate: Referred to Committee on General Laws and Technology
<u>SB 1328 Stormwater Local Assistance Fund; grants to non-MS4 localities.</u>	Monitor	Hanger	Stormwater Local Assistance Fund; grants to non-MS4 localities. Authorizes the Department of Environmental Quality (the Department), with the approval of the Secretary of Natural Resources, to designate a portion of the moneys in the Stormwater Local Assistance Fund to provide matching grants to local governments that are not regulated under municipal separate storm sewer (MS4) permits for the planning, design, and implementation of stormwater best management practices. The bill directs the Department to prioritize grants for projects that are regional in scope. The bill directs the Department to seek stakeholder input and public comment in developing eligibility criteria and to submit such criteria by January 1, 2020, for consideration by the State Water Control Board.	01/07/19 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources

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SB 1336 Mechanics' liens; notice of sale.	Monitor	Edwards	Mechanics' liens; notice of sale. Specifies that the notice of sale for property to be sold pursuant to a mechanics' lien shall be posted in any of the following places: (i) a public place in the county or city where the property is located; (ii) a website operated by the Commonwealth, the county or city where the property is located, or a political subdivision of either; or (iii) a newspaper of general circulation in the county or city where the property is located, either in print or on its website. Under current law, such notice of sale is required to be advertised in a public place, defined as a premises owned by the Commonwealth or a political subdivision thereof, or an agency of either, that is open to the general public.	01/23/19 Senate: Reported from Courts of Justice (15-Y 0-N)
SB 1374 Condominium Act; penalties.	Monitor	DeSteph	Condominium Act; penalties. Provides that any person who willfully violates any provision of the Condominium Act is guilty of a misdemeanor the penalty for which, for each such violation, is (i) a fine of not less than \$1,000 or double the amount of gain from the transaction, whichever is greater, but not more than \$50,000; (ii) a jail sentence of not more than six months; or (iii) the penalties in both clauses (i) and (ii). Under current law, this penalty is applicable to certain provisions of the Act, including failure to comply with filing and registration requirements, public offering statements, and escrow of deposits.	01/21/19 Senate: Passed by indefinitely in General Laws and Technology (10-Y 4-N)

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<u>SB 1388 Chesapeake Bay Watershed Implementation Plan; Lynnhaven River and Little Creek watersheds.</u>	Monitor	Wagner	Chesapeake Bay Watershed Implementation Plan; Lynnhaven River and Little Creek watersheds. Repeals directions to state agencies to exclude the Lynnhaven River and Little Creek watersheds from the James River Basin for purposes of the Chesapeake Bay Watershed Implementation Plan.	01/08/19 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources
<u>SB 1389 Hurricane and Flooding Risk Reduction and Bond Rating Protection Act of 2019; report.</u>	Monitor	Wagner	Hurricane and Flooding Risk Reduction and Bond Rating Protection Act of 2019; report. Creates the Hurricane and Flooding Risk Reduction and Bond Rating Protection Act of 2019, establishing the Commonwealth of Virginia as a nonfederal sponsor of hurricane and flooding risk reduction projects. The bill establishes the Virginia Hurricane and Flood Risk Reduction Authority (the Authority) and an 11-member board of directors (the Board) of the Authority. The bill provides that the Board shall exercise for the Governor executive authority over all phases of hurricane and flood risk reduction programs, including investigations, construction, operations, and maintenance, and that the Authority, which shall be hosted by a department of the Commonwealth as designated by the Governor, shall fulfill the directives of the Board. The bill sets out the membership and powers and duties of the Board and the departmental support to be provided to the Authority, including budgeting, work facilities, administrative management, logistics, human resources, legal, contracts, and information resources. The Joint Legislative Audit and Review Commission (JLARC) shall consult with Louisiana's Legislative Fiscal Office to assess the increased state and local tax flows in Louisiana that resulted from post-Katrina federal spending, including spending for the civil works storm and flooding risk reduction project. The bill requires JLARC to report to the General Assembly no later than November 1, 2019, on the results of its initial assessment.	01/14/19 Senate: Stricken at request of Patron in Commerce and Labor (11-Y 0-N)

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SB 1400 C-PACE loans; stormwater management; residential dwellings and condominiums.	Monitor	Petersen	C-PACE loans; stormwater management; residential dwellings and condominiums. Authorizes any locality, by ordinance, to authorize contracts to provide loans for the initial acquisition and installation of stormwater management improvements with free and willing property owners of both existing properties and new construction. Current law authorizes such contracts only for clean energy improvements. The bill removes an exclusion for residential dwellings with fewer than five dwelling units and condominium projects from certain requirements related to a voluntary special assessment lien that secures such a loan.	01/08/19 Senate: Referred to Committee on Local Government
SB 1699 Subdivision and zoning; sidewalks.	Monitor	Peake	Subdivision and zoning; sidewalks. Authorizes a locality, through provisions in a subdivision ordinance or zoning ordinance, subject to certain terms and conditions included in the ordinance, to grant a developer of land the option of either (i) dedicating land for and constructing a sidewalk as may be required by the locality or (ii) contributing funds equivalent to the cost of the dedication of land for and construction of a sidewalk on the property to a sidewalk fund, maintained and administered by the locality. Such sidewalk fund may be used by the governing body for sidewalk improvements in the locality.	01/15/19 Senate: Referred to Committee on Local Government
HB 2218 Virginia Consumer Protection Act; prohibited practices; unlawful practice of an occupation.	Monitor VAR Bill	Bourne, Kory,Lindsey and Simon	Virginia Consumer Protection Act; prohibited practices; unlawful practice of an occupation or profession. Makes the unlawful and unlicensed practice of contracting, real estate brokering, or real estate sales, in connection with a consumer transaction, unlawful under the Virginia Consumer Protection Act	01/15/19 House: Assigned C & L sub: Subcommittee #2

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HJ 641 Department of Health; rulemaking process; use of rainwater; report.	Monitor/Strike	Yancey	<p>Department of Health; rulemaking process; use of rainwater; report. Requests the Department of Health to evaluate and allow for stakeholder input on additional issues related to use of rainwater as part of the rulemaking process pursuant to a 2018 Act of Assembly, including (i) the conditions under which rainwater may appropriately be used and for what purposes; (ii) standards for the use of rainwater for human consumption; (iii) standards for rainwater harvesting systems, including systems that collect rainwater for human consumption and systems that collect rainwater for use by commercial enterprises but not human consumption; (iv) a requirement that buildings that draw water from both rainwater harvesting systems and public water supplies maintain appropriate cross-connection safeguards; and (v) training and certification requirements for installers of rainwater harvesting systems, including installers of rainwater harvesting systems installed in buildings that draw water from both rainwater harvesting systems and public water supplies. The Department is also requested to provide an update on the status of the rulemaking process to the General Assembly by</p>	01/17/19 House: Assigned Rules sub: Subcommittee #1
HB 2000 State agencies; maximum temperature at which certain rooms may be kept.		Price, Kory, Rasoul, Rodman, Simon and Turpin	<p>State agencies; amendment of regulations pertaining to the maximum temperature at which certain rooms may be kept. Directs the Board of Housing and Community Development to revise the Uniform Statewide Building Code to decrease the temperature at which an owner or operator of certain apartment buildings who rents, leases, or lets one or more dwelling units, rooming units, or guestrooms on terms, either expressed or implied, to furnish cooling to the occupants thereof shall supply cooling during the period from May 15 to October 1 from 80 degrees Fahrenheit to 77 degrees Fahrenheit. The bill also directs the Department of Social Services, the Department of Juvenile Justice, the Department of Behavioral Health and Developmental Services, the Department of Health, and the Department of Corrections to amend their regulations to provide that the maximum temperature at which certain rooms in facilities regulated by such agencies may be kept shall be no more than 77 degrees Fahrenheit.</p>	01/21/19 House: Assigned GL sub: Subcommittee #1

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HB 2023 Lawn care service providers; limit on use of fertilizer, civil penalty.		Murphy	Lawn care service providers; limit on use of fertilizer; civil penalty. Authorizes a locality to, by ordinance, limit the amount and number of applications of fertilizer a lawn care service provider is permitted to apply in a given area in a 12-month period. A lawn care service provider that violates such ordinance shall be subject to a civil penalty, not to exceed \$50 for the first violation or violations arising from the same set of operative facts. The civil penalty for subsequent violations not arising from the same set of operative facts within 12 months of the first violation shall not exceed \$200.	01/14/19 House: Assigned CC & T sub: Subcommittee #2
HB 2305 Localities; descriptions are replaced with locality names.		Leftwich	Sections not set out in Code of Virginia. Sets out sections in Title 15.2 that are currently carried by reference only. Locality descriptions are replaced with locality names, and various technical amendments are made. This bill is a recommendation of the Virginia Code Commission.	01/14/19 House: Assigned CC & T sub: Subcommittee #2
HB 2310 Flood plain, local; regulation by localities.		Hayes	Local flood plain regulation. Authorizes any locality to regulate the activity on, or use or development of, a flood plain in a manner consistent with any state and federal flood plain management programs	01/24/19 House: VOTE: BLOCK VOTE PASSAGE #2 (97-Y 0-N)

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HB 2358 Potomac Aquifer recharge monitoring; creates advisory board, laboratory established, SWIFT Project.		Jones, S.C.	<p>Potomac Aquifer recharge monitoring; advisory board; laboratory established; SWIFT Project. Creates an advisory board and a laboratory to monitor the effects of the Sustainable Water Infrastructure for Tomorrow (SWIFT) Project being undertaken by the Hampton Roads Sanitation District (HRSD).</p> <p>The bill establishes a 10-member advisory board called the Potomac Aquifer Recharge Oversight Committee (the Committee), directing it to ensure that the SWIFT Project is monitored independently. The bill provides that the Committee shall consist of the State Health Commissioner, the Director of the Department of Environmental Quality, the Executive Director of the Hampton Roads Planning District Commission, the two Co-Directors of the Laboratory, the Director of the Occoquan Watershed Monitoring Laboratory, two Virginia citizens appointed by the Governor, and two nonvoting members. The Committee is required by the bill to meet at least quarterly during the initial three years of its existence. The bill also authorizes the Committee to appoint a science and technical advisory council and directs the Committee to request funding from HRSD for the first three years of monitoring of the recharge of the aquifer.</p> <p>The bill also creates the Potomac Aquifer Recharge Monitoring Laboratory (the Laboratory) at a location to be selected in the Hampton Roads region, placing it under the co-direction of one Old Dominion University faculty member and one Virginia Tech faculty member. The bill provides that the Laboratory shall monitor the impact of the SWIFT Project on the Potomac Aquifer, manage testing data, and conduct water sampling and analysis.</p> <p>The bill authorizes both the Commissioner of the Department of Health and the State Water Control Board to issue emergency orders to halt</p>	01/24/19 House: Read second time and engrossed
HB 2505 Department of Environmental Quality; stormwater regulations; Tennessee River Basin.		O'Quinn and Pillion; Senator: Carrico	<p>Department of Environmental Quality; stormwater regulations; Tennessee River Basin. Directs the Department of Environmental Quality to adopt regulations to permit, regulate, and control stormwater runoff in the Tennessee River Basin that are no more stringent than those regulations already adopted for the regulation of stormwater runoff into other waters of the Commonwealth.</p>	01/16/19 House: Assigned ACNR sub: Subcommittee #3

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HB 2696 Environmental Justice Advisory Council established.		Herring, Ayala, Bagby, Bourne and Lindsey; Senators: Lucas and Spruill	Environmental Justice Advisory Council established. Establishes the Environmental Justice Advisory Council, consisting of 13 members, to advise the Governor on environmental justice in the Commonwealth through equitable development, implementation, evaluation, and enforcement of environmental laws, regulations, policies, and practices.	01/17/19 House: Assigned Rules sub: Subcommittee #1
HB 2711 Exemptions of real estate; recordation of signed writing; location of real estate or residence.		Simon	Exemptions of real estate; recordation of signed writing; location of real estate or residence of householder if property located outside the Commonwealth. Provides that, in order to secure the benefits of the homestead exemption for real estate, a householder shall record a writing declaring his intention to claim such a benefit in the county or city in which such real estate or any part thereof is located or, if such property is located outside the Commonwealth, in the county or city where the householder resides.	01/21/19 House: Assigned GL sub: Subcommittee #2

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HB 2714 Landlord-tenant applicability; occupancy in a hotel or motel exempt.		Lindsey, Bagby and Kory	Landlord-tenant law; applicability; occupancy in a hotel or motel exempt. Provides that occupancy of a hotel or motel is not considered a residential tenancy under landlord-tenant law. Removes hotel and motel occupancy from provisions requiring certain facilities to provide a five-day notice for occupants of less than 90 consecutive days and applying landlord-tenant law to the same facilities for occupants of more than 90 consecutive days.	01/15/19 House: Referred to Committee on General Laws
HB 2724 Uniform Statewide Building Code; rental inspection districts; inspection of residential rentals.		Helsel	Uniform Statewide Building Code; rental inspection districts; inspection of residential rental dwelling units. Permits a local building department in a locality that has established a rental inspection district to choose to delay the initial inspection of dwelling units until the first time the units become vacant on or after the establishment of the district, unless an earlier inspection is requested by the owner or a tenant.	01/16/19 House: Referred to Committee on General Laws
HB 2726 Local workforce development boards; career pathways for opportunity youth; report.		James	Local workforce development boards; career pathways for opportunity youth; report. Requires each local workforce development board to develop focused strategies for engaging opportunity youth and placing them on pathways to education, training, and careers. The bill also provides for local workforce development boards to develop performance measures for evaluating the results of the implementation of such strategies and submit the measures annually to the Governor's Chief Workforce Development Advisor by November 30. "Opportunity youth" is defined in the bill as individuals between the ages of 16 and 24 who are (i) homeless, in foster care, or involved in the justice system or (ii) neither gainfully employed nor enrolled in an educational institution.	01/23/19 House: Assigned GL sub: Subcommittee #1

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HB 2755 Conservation easements; comprehensive plan.		Fariss	Conservation easements; comprehensive plan. Eliminates the requirement that a conservation easement conform to the comprehensive plan at the time the easement is granted for the area in which the real property is located.	01/21/19 House: Assigned ACNR sub: Subcommittee #2
HB 2806 Local government; codification of ordinances, affirmative defense.		LaRock	Local government; codification of ordinances; affirmative defense. Requires each locality to codify all ordinances, in permanently bound or loose-leaf form or in an online format so as to be easily accessed by other governmental entities and the public. The bill provides that any person who is the subject of an action brought by a locality for violation of an ordinance is entitled to assert as an affirmative defense that the ordinance was not codified and therefore failed to provide adequate notice to the public of the contents of the ordinance.	01/22/19 House: Assigned CC & T sub: Subcommittee #1
HJ 675 Study; Department of Education; experiential learning and workforce development opportunities.		Filler-Corn	Study; Department of Education; experiential learning and workforce development opportunities in high-demand fields; report. Requests the Department of Education to study experiential learning and workforce development opportunities for high school students in high-demand fields.	01/17/19 House: Assigned Rules sub: Subcommittee #1

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SB 1559 C-PACE loans; shoreline resiliency improvements.		Lewis	<p>C-PACE loans; shoreline resiliency improvements. Authorizes any locality, by ordinance, to authorize contracts to provide loans for the initial acquisition and installation of shoreline resiliency improvements with free and willing property owners of both existing properties and new construction. Current law authorizes such contracts only for clean energy improvements.</p>	<p>01/09/19 Senate: Referred to Committee on Local Government</p>
SB 1569 Marine Resources Commission; grant of interest in subaqueous lands, etc.		Lewis	<p>Marine Resources Commission; grant of interest in subaqueous lands; federal civil works project; report. Authorizes the Commonwealth, acting through the Marine Resources Commission, to grant to a political subdivision of the Commonwealth an easement over, or title to, certain beds of the waters of the Commonwealth. The bill requires that the political subdivision receiving such a grant be acting in the capacity of an official nonfederal sponsor, with the U.S. Army Corps of Engineers, of a federally authorized civil works project and that the grant be necessary to the carrying out of such project.</p> <p>The bill requires that such a grant be contained in a written instrument that describes by metes and bounds the land in which the interest is granted and is executed by the Attorney General and countersigned by the Governor.</p> <p>Finally, the bill prohibits any political subdivision that receives a grant of a right or interest as specified in the bill from conveying that right or interest except to the Commonwealth. The bill requires the Commissioner of Marine Resources to report annually to the General Assembly about the grants that have been made during the past year.</p>	<p>01/09/19 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources</p>

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<u>SB 1580 Condominium Act and Property Owners' Association Act; delivery of association disclosure packets.</u>		Suetterlein	Condominium Act and Property Owners' Association Act; delivery of association disclosure packets; right of purchaser to cancel contract. Provides that a purchaser of a unit subject to the Condominium Act or a lot subject to the Property Owners' Association Act does not have any additional right to cancel the purchase contract, other than the rights currently provided by law, solely because the contents of the resale certificate or disclosure packet provided to the purchaser are not in conformity with the contents of such resale certificate or disclosure packet that are required by law.	01/09/19 Senate: Referred to Committee on General Laws and Technology
<u>SB 1588 Partial exemption from real property taxes for flood mitigation efforts.</u>		Lewis	Partial exemption from real property taxes for flood mitigation efforts. Codifies an amendment to Article X, Section 6 of the Constitution of Virginia that was adopted by the voters on November 6, 2018, which enables a locality to provide by ordinance a partial exemption from real property taxes for flooding abatement, mitigation, or resiliency efforts for improved real estate that is subject to recurrent flooding. The bill provides that exemptions may only be granted for qualifying flood improvements. Qualifying flood improvements are defined in the bill as improvements that do not increase the size of any impervious area and are made to qualifying structures or to land. Qualifying structures are defined as structures that were completed prior to July 1, 2018 or were	01/18/19 Senate: Read third time and passed Senate (31-Y 9-N)
<u>SB 1599 Ground water withdrawal; Eastern Shore Groundwater Management Area; incentives for use.</u>		Lewis	Ground water withdrawal; Eastern Shore Groundwater Management Area; incentives for use. Directs the State Water Control Board to adopt regulations providing incentives for the withdrawal of water from the surficial aquifer, rather than the deep aquifer, in the Eastern Shore Groundwater Management Area, as defined in the bill. Such incentives may include extended permit terms of as long as 20 years, an accelerated permit process, or discounted permit fees.	01/09/19 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources

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SB 1625 Statewide Fire Prevention Code; definition of permissible fireworks.		McPike	Statewide Fire Prevention Code; definition of permissible fireworks. Changes the definition of permissible fireworks to mean any fireworks device that (i) does not explode or produce a report, (ii) does not emit visual effects to a distance greater than 16.4 feet, (iii) does not produce a continuous flame longer than 20 inches, (iv) does not travel under its own power, (v) does not emit or function as a projectile, and (vi) is not capable of being reloaded. The definition also provides that such fireworks device, when designed to be ignited by a fuse, must have a fuse that is protected to resist side ignition and a burning time of not less than four seconds or more than eight seconds to be considered permissible fireworks.	01/09/19 Senate: Referred to Committee on General Laws and Technology
SB 1634 Economic revitalization zone.		Boysko	Economic revitalization zone.	01/09/19 Senate: Referred to Committee on Local Government

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SB 1656 Income tax credits; housing choice vouchers, eligible housing areas.		Cosgrove	<p>Income tax credits; housing choice vouchers; eligible housing areas. Expands the definition of "eligible housing area" for purposes of the housing choice voucher tax credit, to include census tracts in the Virginia Beach-Norfolk-Newport News Metropolitan Statistical Area in which less than 10 percent of the population lives below the poverty level. Landlords who rent qualified housing units within such areas are eligible for an income tax credit. Current law only applies to such areas within the Richmond Metropolitan Statistical Area.</p>	01/09/19 Senate: Referred to Committee on Finance
SB 1663 Subdivision ordinance; sidewalks.		Barker	<p>Subdivision ordinance; sidewalks. Allows any locality to include provisions in its subdivision ordinance requiring that where a lot being subdivided or developed fronts on an existing street and the provision of a sidewalk is in accordance with the locality's adopted comprehensive plan, the locality may require the dedication of land for, and construction of, a sidewalk on the property being subdivided or developed.</p>	01/10/19 Senate: Referred to Committee on Local Government

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SB 1666 Virginia Coastal Protection Act.		Lewis	<p>Virginia Coastal Protection Act. Recasts the Virginia Shoreline Resiliency Fund as the Virginia Coastal Protection Fund. Moneys generated by the sale of carbon dioxide emissions allowances through any auction program administered by the Commonwealth are directed to the Fund. The measure directs the State Air Pollution Control Board to adopt regulations to limit and reduce the total carbon dioxide emissions released by electric generation facilities. The regulations are required to comply with the Regional Greenhouse Gas Initiative program. The measure authorizes the Director of the Department of Environmental Quality to establish, implement, and manage an auction program to sell allowances into a market-based trading program. The measure requires revenues from the sale of carbon allowances, to the extent permitted by Article X, Section 7 of the Constitution of Virginia, to be distributed without further appropriation to assist localities in implementing hazard mitigation projects in areas that are subject to recurrent flooding, to support energy efficiency programs, to programs in Southwest Virginia for the purpose of revitalizing communities affected by the decline of fossil fuel production, and for administrative expenses. An enactment</p>	<p>01/10/19 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources</p>
SB 1676 Virginia Residential Landlord and Tenant Act; rental agreement, provisions made applicable by law.		Stanley	<p>Virginia Residential Landlord and Tenant Act; rental agreement; provisions made applicable by operation of law. Requires a landlord to offer the tenant a written rental agreement containing the terms governing the rental of the dwelling unit and setting forth the terms and conditions of the landlord tenant relationship. The bill provides that in the event a written rental agreement is not offered by the landlord, a rental tenancy shall be deemed to exist by operation of law and establishes the terms and conditions of that tenancy. This bill is a recommendation of the Virginia Housing Commission.</p>	<p>01/23/19 Senate: Constitutional reading dispensed (39-Y 0-N)</p>

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<u>SB 1681 DGS; surplus property, opportunity for economic development entities to purchase.</u>		Mason	<p>Department of General Services; surplus property; opportunity for economic development entities to purchase prior to public sale.</p> <p>Provides that prior to offering surplus property for sale to the public, the Department of General Services (the Department) shall notify the chief administrative officer of the locality within which the property is located as well as any economic development entity for such locality of the pending disposition of such property and provide such chief administrative officer and economic development entity an opportunity to hold, for a period of not more than five years, the option to purchase such property for use with a bona fide economic development activity. The bill provides that if the option is exercised, the price at which the property is sold shall be the fair market value of the property or any other reasonable price that is agreed to by the parties. The bill provides</p>	<p>01/11/19 Senate: Referred to Committee on General Laws and Technology</p>
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