

HBAV Matrix - Updated for February 23, 2018 Meeting

Bill #	Summary	Chief Patron	Last Action	Date of Last Action
HB22	Mandatory water and sewer connections; Powhatan County. Adds Powhatan County to the list of counties that may require connection to their water and sewer systems by owners of property that can be served by the systems if the property, at the time of installation of such public system, or at a future time, does not have a then-existing, correctable, or replaceable domestic supply or source of potable water and a then-existing, correctable, or replaceable system for the disposal of sewage adequate to prevent the contraction or spread of infectious, contagious, and dangerous diseases.	Ware	(H) Passed from House (94-Y 4-N); (S) Reported from Local Government (13-Y 0-N); (S) Constitutional Reading Dispersed	2/22/2018
HB78	Department of Professional and Occupational Regulation; waiver of first-time licensing fees for low-income applicants. Requires any regulatory board within the Department of Professional and Occupational Regulation to waive the initial application fee for any low-income individual applying for any license, certificate, or registration issued by the regulatory board or the Department. The bill defines "low-income individual" as any individual whose gross annual income is less than \$25,000 per year.	Yancey	(H) Left in Appropriations	2/13/2018
HB89	Conditional zoning proffers; affordable dwelling units. Exempts onsite proffers related to affordable dwelling units from provisions that determine whether a proffer is unreasonable.	Bell, John J.	(H) Left in Counties, Cities and Towns	2/13/2018
HB101	Board for Contractors; tradesmen licenses; expiration date. Provides that licenses for tradesmen shall expire three years from the date of issuance by the Board for Contractors. The bill requires the Board to sync the expiration date of a tradesman license, which is currently on a two-year cycle, to updates to the Uniform Statewide Building Code, which are typically on a three-year cycle.	Head	(H) Passed House (52-Y 47- N); (S) Committee on General Laws and Technology	2/1/2018

HB127	Construction fraud; penalty. Revises the crime of construction so that a person is guilty if he fraudulently fails or refuses to perform a promise for construction after having obtained an advance of money or other thing of value to do so. Currently, in order for a person to be guilty, he must have obtained the advance with fraudulent intent.	Cole	(H) Left in Courts of Justice	2/15/2018
HB130	Chief Resiliency Officer. Directs the Secretary of Public Safety and Homeland Security to designate a Chief Resiliency Officer. The Chief Resiliency Officer, who shall hold no other position, shall serve as the primary coordinator of resilience and adaptation initiatives in Virginia and as the primary point of contact regarding issues related to resilience and recurrent flooding. The bill adds the Chief Resiliency Officer as a member of the Secure and Resilient Commonwealth Panel.	Yancey	(H) Left in Rules	2/13/2018
HB160	Building code; mutual assistance. Provides that the governing body of any county, city, or town may enter into an agreement with another locality for the purpose of providing assistance on building code inspections, plan review, and permitting to a local building department in such locality.	Cole	(H) Left in General Laws	2/13/2018
HB163	Conditional proffers; public facility capacity; previously approved residential developments. Authorizes a locality to base its assessment of a public facility's capacity on the projected impacts specifically attributable to previously approved residential developments, or portions thereof, that have not yet been completed when determining whether a proffer is unreasonable.	Ware	(H) Left in Counties, Cities and Towns	2/13/2018
HB164	Board for Contractors; prerequisites to obtaining a building permit; elimination of affidavit requirement. Removes the requirement that a building permit applicant's written statement that he is not subject to licensure or certification as a contractor or subcontractor be supported by an affidavit. The bill contains technical amendments.	Yancey	Passed House and Senate; (G) Governor's Action Deadline Midnight, March 1, 2018	2/22/2018

<p>HB192</p>	<p>Rainwater and gray water; regulations. Directs the State Department of Health (the Department) to adopt regulations regarding the use of gray water and rainwater. The regulations shall provide standards for the use of rainwater harvesting systems. The bill also directs the Department to consider recognizing rainwater as an independent source of fresh water.</p>	<p>Yancey</p>	<p>(H) Passed House; (S) Reported from Education and Health with amendments (13-Y 0-N)</p>	<p>2/22/2018</p>
<p>HB195</p>	<p>Charter; City of Alexandria; tree planting and replacement. Grants the City authority to adopt an ordinance providing for the planting and replacement of trees during the development process. The ordinance shall require that the site plan for any subdivision or development include the planting or replacement of trees on the site to the extent that, at 10 years, minimum tree canopies or covers will meet certain criteria based on zoning, density, and other factors set out in the ordinance. The ordinance shall provide for reasonable provisions for reducing the tree canopy requirements or granting tree cover credit in consideration of the preservation of existing tree cover or for preservation of trees of outstanding age, size, or physical characteristics. The ordinance shall provide for reasonable exceptions to or deviations from these requirements to allow for the reasonable development of areas devoid of healthy or suitable woody materials, for the preservation of wetlands, or otherwise when the strict application of the requirements would result in unnecessary or unreasonable hardship to the developer. Penalties for violations of ordinances adopted pursuant to this section shall be the same as those applicable to other violations of the zoning ordinance.</p>	<p>Herring</p>	<p>(H) Left in Counties, Cities and Towns</p>	<p>2/13/2018</p>

<p>HB204</p>	<p>Energy benchmarking; access to data on energy usage in covered buildings. Authorizes a locality to adopt an ordinance requiring utilities, upon request by the owner of a building with a gross floor area of not less than 50,000 square feet (covered building), to provide its owner with combined measured energy usage data for multiple utility accounts of customers receiving service in the covered building. Such benchmarking is mandatory for a covered building with three or more active utility accounts in which no single utility account is greater than or equal to 85 percent of the aggregated energy usage, and it is optional for other covered buildings. The measure provides that the building owner shall only provide aggregated data that is provided to it to the Energy Star Portfolio Manager subject to guidelines established by the Department of Mines, Minerals and Energy (DMME). Violations of the ordinance are punishable by a fine of not more than \$250. The measure requires DMME to develop uniform guidelines for benchmarking by December 1, 2018.</p>	<p>Sullivan</p>	<p>(H) Left in Counties, Cities and Towns</p>	<p>2/13/2018</p>
<p>HB209</p>	<p>Duty to take reasonable precautions; criminal conduct of a third party. Provides that any person owning, operating, or managing (i) a commercial property used primarily for business purposes or (ii) residential real property that is owned by a person who owns five or more dwelling units that are used primarily for rental as a dwelling unit shall have the duty to take reasonable precautions to protect the tenants, other authorized occupants, or guests or invitees of such property against injury caused by the criminal conduct of a third party, if the danger of injury by such conduct is known to such owner, operator, or manager or is reasonably foreseeable. The bill provides that the same duty applies to any private security services business contracted to provide services to such person owning, operating, or managing such property.</p>	<p>Mullin</p>	<p>(H) Left in Courts of Justice</p>	<p>2/15/2018</p>

HB211	Ground water withdrawal permit term; lengthening to 15 years. Lengthens from 10 years to 15 years the maximum term of a ground water withdrawal permit issued by the State Water Control Board. The bill also lengthens the maximum term of a ground water withdrawal special exception from 10 years to 15 years. The bill contains technical amendments.	Wright	(H) Passed House; (S) Referred to Finance	2/15/2018
HB250	Virginia Fire Services Board; membership. Changes the membership of the Virginia Fire Services Board by removing a member of the Virginia Society of Fire Service Instructors and the State Fire Marshall and adding a fire service instructor and a nonlegislative citizen member with fire service experience.	Guzman	(H) Left in Militia, Police and Public Safety	2/13/2018
HB282	Virginia Housing Development Authority Act; pilot program; home ownership; low income persons. Directs the Virginia Housing Development Authority to develop a pilot program providing support services, including counseling and financing assistance, to help low-income persons who are currently renters become home owners.	McQuinn	(H) Left in General Laws	2/13/2018
HB302	Additional powers of certain counties. Grants counties with a population greater than 100,000 certain powers of cities and towns, including taxation, borrowing, and payments for highway maintenance. Currently, such powers are generally granted to cities and towns only.	Watts	(H) Left in Counties, Cities and Towns	2/13/2018

<p>HB311</p>	<p>Unlawful detainer; foreclosure; legal title to real property foreclosed upon. Provides that, in the case of a summons for an unlawful detainer filed by a successor landlord following the foreclosure of a dwelling unit, the general district court shall determine whether there may be a valid issue as to the legal title to the real property if (i) such an issue is raised by a defendant to the case and (ii) the court determines such issue raised is a bona fide claim. The bill provides that, if the court finds that such an issue exists, the court shall dismiss the case without prejudice. The bill further provides that the general district court shall proceed with the unlawful detainer case if it finds that no such valid issue exists. The bill specifies that the general district court is not granted subject matter jurisdiction to determine legal title to real property pursuant to the contents of the bill. The bill adds unlawful detainer actions to the list of actions wherein another judgment between the same parties does not bar another such action from being brought.</p>	<p>Simon</p>	<p>Passed House and Senate</p>	<p>2/21/2018</p>
<p>HB321</p>	<p>Professions and occupations; real estate brokers and salespersons; cease and desist orders for unlicensed activity; civil penalty. Expands the enforcement options of the Real Estate Board (Board) by giving the Board direct authority to institute proceedings in equity to enjoin any person, partnership, corporation, or any other entity from engaging in unlicensed activity and certain other specifically enumerated unlawful acts. The bill provides that the Board may recover a civil penalty from such person, partnership, corporation, or any other entity of at least \$200 but not more than \$25,000 per violation, with each unlawful act constituting a separate violation. Current law provides that the Board may impose a civil penalty against any person engaging in unlicensed activity not to exceed \$1,000 for any real estate transaction or the compensation received from any such real estate transaction, whichever is higher.</p>	<p>Bourne</p>	<p>(H) Left in General Laws</p>	<p>2/13/2018</p>

HB341	Cluster development; open space; stormwater management area. Allows a locality to prohibit a stormwater management area from being located in an "open space" or "conservation area" established as part of a cluster development. Current law bars localities from enacting such a prohibition.	Thomas	(H) Left in Counties, Cities and Towns	2/13/2018
HB345	Secretary of Coastal Protection and Flooding Adaptation. Creates the executive branch position of Secretary of Coastal Protection and Flooding Adaptation (the Secretary). The Secretary shall be responsible for consolidating into a single office the resources for protection against coastal flooding threats and flooding adaptation. The Secretary also shall be the lead in developing and in providing direction and ensuring accountability for a statewide coastal flooding adaptation strategy. The bill requires the Secretary, in cooperation with the Secretary of Natural Resources, to identify sources of funding for implementation of strategies for coastal protection and flooding adaptation.	Stolle	(H) Passed House; (S) Referred to Committee on General Laws and Technology	2/14/2018
HB358	Ground water management; subdivisions; technical evaluation. Requires the developer of a subdivision located in a designated ground water management area for which the developer obtains plat approval on or after July 1, 2018, to apply for a technical evaluation, with certain criteria, from the Department of Environmental Quality prior to final subdivision plat approval if there will be 30 or more lots within the subdivision served by private wells.	Bulova	(H) Passed House; (S) Reported from Agriculture, Conservation, and Natural Resources (11-Y 4-N); (S) Rereferred to Finance	2/15/2018
HB377	Virginia Water Protection Permit; exception for stormwater management facility on dry land. Exempts from the requirement to obtain a Virginia Water Protection Permit an impact to a stormwater management facility on dry land.	Bulova	(H) Passed House; (S) Passed Senate	2/22/2018
HB400	Replacement of trees during development process; Chesapeake Bay watershed. Authorizes any locality in the Chesapeake Bay watershed to adopt an ordinance providing for the planting and replacement of trees during the land development process. Current law only allows a locality with a population density of at least 75 persons per square mile to adopt such an ordinance. The bill authorizes such an ordinance to exceed the requirements set out in the section.	Keam	(H) Left in Counties, Cities and Towns	2/13/2018

HB439	<p>Professions and occupations; Real Estate Board; licensees; translation of real estate documents. Provides that if a party to a real estate transaction requests translation of a contract or other real estate document from the English language to another language, a real estate licensee may assist such party in obtaining a translator or may refer such party to an electronic translation service and, in doing so, the licensee shall not be deemed to have breached any of his obligations as a real estate licensee or otherwise become liable for any inaccuracies in the translation.</p>	Bulova	Passed House and Senate; (G) Governor's Action Deadline Midnight, March 1, 2018	2/22/2018
HB447	<p>Chesapeake Bay Preservation Areas; mature trees. Adds the preservation of mature trees, both as a stormwater management tool and as a means of providing other benefits, to the list of activities that the State Water Resources Board is directed to encourage and promote as it adopts criteria for local governments to use as they consider development in Chesapeake Bay Preservation Areas.</p>	Hope	(H) Left in Agriculture, Chesapeake and Natural Resources	2/13/2018
HB493	<p>Stormwater Local Assistance Fund; grants; administrative costs. Authorizes the recipient of a grant from the Stormwater Local Assistance Fund to use a portion of the grant funds to pay for reasonable administrative costs. The bill also allows a grant recipient to count the fair market value of administrative services as an in-kind match for as much as half of the amount of any matching funds required.</p>	Hodges	(H) Left in Agriculture, Chesapeake and Natural Resources	2/13/2018
HB494	<p>Land development; replacement of trees; locality within Chesapeake Bay watershed. Authorizes any locality within the Chesapeake Bay watershed to adopt an ordinance providing for the planting and replacement of trees during the development process. Currently, only a locality with a population density of 75 persons per square mile may adopt such an ordinance.</p>	Hodges	(H) Passed House in Block (98- Y 0-N); (S) Reported from Committee on Local Government (13-Y 0-N); (S) Constitutional reading dispensed	2/22/2018

<p>HB570</p>	<p>Real estate settlement agents. Establishes a presumption that any person who is authorized to act as a settlement agent is competent to handle settlements of federally backed mortgages secured by real estate in the Commonwealth. Lenders are prohibited from imposing any additional requirement as a condition of closing such mortgages. The measure also (i) provides that if a lender maintains a list of approved settlement agents, the list shall include any person qualified to act as a settlement agent and (ii) prohibits a lender from removing a person from such a list unless it has given the person notice of the reasons for the proposed removal and an opportunity to request a hearing. If a hearing is requested, it shall be conducted by the State Corporation Commission (SCC), and the lender shall not remove the person from its list unless the SCC finds that the removal is permitted.</p>	<p>Gooditis</p>	<p>(H) Left in General Laws</p>	<p>2/13/2018</p>
<p>HB594</p>	<p>Local government; authority to require abatement of criminal blight on real property. Authorizes any locality to enact an ordinance that requires corrective action to address criminal blight conditions on certain real property. The bill defines criminal blight to include conditions on real property that endanger residents of the community by the regular presence of persons using the property for controlled substance use or sale and other criminal activities, specifically commercial sex trafficking or prostitution. Current law allows local governments to enact an ordinance for taking action against a property owner with regard to illegal drug activity on such real property within the locality. The bill also provides a procedure for the locality and law-enforcement officials to secure inspection warrants for guest registries for real property operated as a hotel or motel or other transient lodging if the property is declared to be in a state of criminal blight. This is a recommendation of the Virginia Housing Commission.</p>	<p>Carr</p>	<p>(H) Passed House; (S) Reported from Local Government (12-Y 1-N); (S) Reported from Education and Health with amendments (13-Y 0-N)</p>	<p>2/22/2018</p>

HB632	<p>Career investigation courses and programs of instruction. Requires the Board of Education (Board) to (i) establish content standards and curriculum guidelines for courses in career investigation in elementary school, middle school, and high school; (ii) develop, in consultation with representatives of career and technical education, trade, and contractor organizations, career investigation resource materials that are designed to ensure that students have the ability to further explore interest in career and technical education opportunities in middle and high school; and (iii) disseminate such career investigation resource materials to each school board. The bill directs each school board to require each middle school student to take at least one course or alternative program of instruction in career investigation and permits each school board to require such courses in career investigation at the elementary and high school level as it deems appropriate.</p>	Bulova	(H) Passed House; (S) Referred to Committee on Education and Health; (S) Assigned Education sub: Public Education	2/21/2018
HB674	<p>Virginia Real Estate Time-Share Act; Common Interest Community Board; developer may obtain surety bond or letter of credit. Provides that in lieu of escrowing deposits made in connection with the purchase or reservation of a time-share product a developer may obtain a corporate surety bond or letter of credit with the Common Interest Community Board where the time-share project consists of more than 25 units. Currently, the developer is required to escrow the individual deposits for every purchase and file with the Board a bond or letter of credit or cash for the purpose of protecting all deposits.</p>	Davis	Passed House and Senate; (G) Governor's Action Deadline Midnight, March 1, 2018	2/22/2018
HB675	<p>Onsite treatment works; effluent quality standards and maintenance requirements. Provides that effluent quality standards and maintenance requirements for onsite treatment works designed by individuals licensed as professional engineers shall not exceed those established in the Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Domestic Sewage Discharges of Less Than or Equal to 1,000 Gallons Per Day for fresh water discharge.</p>	Hodges	(H) Passed House; Stricken at request of patron in Education and Health (13-Y 0-N)	2/22/2018

HB683	<p>Uniform Statewide Building Code; security of certain records. Clarifies that while information contained in engineering and construction drawings and plans for any single-family residential dwelling submitted for the purpose of complying with the Uniform Statewide Building Code (§ 36-97 et seq.) or the Statewide Fire Prevention Code (§ 27-94 et seq.) shall not be subject to disclosure to the public under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), such information shall not be deemed confidential.</p>	Pogge	Passed House and Senate; (G) Governor's Action Deadline Midnight, March 1, 2018	2/22/2018
HB709	<p>Zoning violation penalties. Increases the maximum fine for misdemeanor conviction of a zoning violation from \$1,000 to \$2,500. The bill also increases the maximum fine for failure to remove or abate the zoning violation after conviction from \$1,500 to \$2,500 for succeeding 10-day periods.</p>	Bell, John J.	(H) Passed House (59-Y 37-N 1- A); (S) Reported from Local Government (11-Y 2-N); (S) Constitutional reading dispensed	2/22/2018
HB714	<p>Uniform Statewide Building Code; Board of Housing and Community Development; provisions for buildings and structures in rural areas in which commercial enterprises are located. Directs the Board of Housing and Community Development to make amendments to the Uniform Statewide Building Code applicable to buildings and structures in rural areas in which commercial enterprises are located. The bill provides that the amendments shall not apply to any building or structure for which (i) a building permit has been issued or on which construction has commenced or (ii) working drawings have been prepared in the year prior to the effective date of the amendments. The bill also requires the Board to establish guidelines for the adequate training of building officials, enforcement personnel, contractors, and design professionals regarding Building Code provisions applicable to farm buildings and structures.</p>	Bell, Richard P.	(H) Left in General Laws	2/13/2018
HB722	<p>Property Owners' Association Act; action of the board of directors. Prohibits the board of directors of any property owners' association from taking any action that has not been approved in an open meeting.</p>	Plum	(H) Left in General Laws	2/13/2018

HB723	<p>Stormwater management facilities; private residential lots; disclosure. Requires the State Water Control Board to adopt regulations requiring a local stormwater management authority that requires a landowner of property zoned for residential use to maintain a stormwater management facility on such 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 facility to disclose such specifications, requirements, and schedule of audits to a purchaser of the property.</p>	Plum	(H) Left in Agriculture, Chesapeake and Natural Resources	2/13/2018
HB729	<p>Virginia Fire Services Board; powers and duties; modular training program for volunteer firefighters. Directs the Virginia Fire Services Board to develop a modular training program for volunteer firefighters for adoption by local volunteer fire departments that shall include (i) Firefighter I and Firefighter II certification pursuant to standards developed by the National Fire Protection Association and (ii) an online training program.</p>	Head	(H) Passed House; (S) Rereferred to Finance	2/19/2018
HB732	<p>Department of Professional and Occupational Regulation; contractors; prohibited acts. Provides that a contract entered into by a person undertaking work without a valid Virginia contractor's license is unenforceable by such person. However, the bill also prohibits assertion of lack of licensure or certification as a defense to any action or suit if the unlicensed contractor gives substantial performance within the terms of the contract in good faith and without actual knowledge that a license or certificate was required.</p>	Hodges	Passed House and Senate; (G) Governor's Action Deadline Midnight, March 1, 2018	2/22/2018

<p>HB771</p>	<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). The bill establishes an eight-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, and two Virginia citizens appointed by the Governor, and the bill also provides for 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. The bill also creates the Potomac Aquifer Recharge Monitoring Laboratory (the Laboratory) at Old Dominion University (ODU), placing it under the direction of an ODU faculty member and the co-direction of a faculty member at Virginia Tech. 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. The bill authorizes both the Commissioner of the Department of Health and the State Water Control Board to issue emergency orders to halt injection or make any change to any facility of the SWIFT Project.</p>	<p>Jones, S.C.</p>	<p>(H) Passed House; (S) Referred to Committee on Agriculture, Conservation and Natural Resources</p>	<p>2/14/2018</p>
<p>HB772</p>	<p>Ground water withdrawal permit term; lengthening to 15 years. Lengthens from 10 years to 15 years the maximum term of a ground water withdrawal permit issued by the State Water Control Board and lengthens the maximum term of a ground water withdrawal special exception from 10 years to 15 years. The bill also directs the State Water Control Board to adopt a regulation effective January 1, 2019, raising from \$6,000 to \$9,000 the permit fee applicable to new or reissued individual ground water withdrawal permits. The bill contains technical amendments.</p>	<p>Jones, S.C.</p>	<p>(H) Left in Agriculture, Chesapeake and Natural Resources</p>	<p>2/13/2018</p>

HB796	Zoning; disabilities. Requires a locality to give consideration to the need for reasonable modifications to requirements that are necessary to accommodate persons with disabilities when preparing a zoning ordinance. The bill also alters the standard by which a variance shall be granted by adding the phrases "including the safe and easy use thereof" in regard to property and "or would accommodate persons with disabilities as required under the Americans with Disabilities Act."	Hope	(H) VOTE: BLOCK VOTE PASSAGE 2 (98-Y 0-N) (S) Referred to Committee on Local Government	2/2/2018
HB801	Stormwater regulation; no stricter than federal law. Prohibits the State Water Control Board from adopting any stormwater regulation that is inconsistent with or exceeds the requirements of any federal stormwater statute, regulation, standard, criterion, or guidance document.	O'Quinn	(H) Left in Agriculture, Chesapeake and Natural Resources	2/13/2018
HB805	Stormwater management regulations; localities outside Chesapeake Bay watershed. Provides that in a locality that is located entirely outside of the Chesapeake Bay watershed, the State Water Control Board and the Department of Environmental Quality shall apply the water quality and water quantity requirements that were in effect prior to July 1, 2014.	O'Quinn	(H) Left in Agriculture, Chesapeake and Natural Resources	2/13/2018

<p>HB855</p>	<p>Landlord and tenant law; notice requirements; landlord's acceptance of rent with reservation. Changes the landlord and tenant law notice requirements for landlords to accept full or partial rent while continuing to proceed with a court action to obtain an order of possession and subsequent eviction by creating a single notice and removing the requirement for second notice for the time period between entry of an order of possession and prior to eviction. The bill provides that the landlord may accept full or partial payment of rent and still receive an order of possession and proceed with eviction if the landlord states in the written notice to the tenant that any payment of rent, damages, money judgment, award of attorney fees, and court costs would be accepted with reservation and not constitute a waiver of the landlord's right to evict the tenant from the dwelling unit. The bill also (i) provides that if a dwelling unit is a public housing unit or other housing unit subject to regulation by the Department of Housing and Urban Development, written notice of acceptance of rent with reservation need not be given to any public agency paying a portion of the rent under the rental agreement and (ii) removes language providing that if the landlord enters into a new rental agreement with the tenant prior to eviction, an order of possession obtained prior to the entry of such new rental agreement is not enforceable.</p>	<p>Peace</p>	<p>Passed House and Senate</p>	<p>2/22/2018</p>
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HB857	<p>Landlord and tenant law. Removes remaining differences between general landlord and tenant provisions and the Virginia Residential Landlord and Tenant Act by conforming provisions pertaining to residential dwelling units in the following areas: (i) providing that any nonresidential tenancy may be terminated by self-help eviction or by filing an unlawful detainer action; (ii) tenant obligations to maintain a dwelling unit; (iii) notice to the tenant in the event of foreclosure; (iv) wrongful failure to supply heat, water, hot water, or essential services; (v) prohibited provisions in the rental agreement; (vi) early termination of rental agreement by military personnel; and (vii) remedies for the landlord's failure to deliver possession. The bill also makes the following changes to landlord and tenant law: (a) clarifies the lease termination process; (b) provides that if a tenant allows his renter's insurance to lapse, the landlord may provide coverage and require the tenant to pay the premium; (c) establishes protection for landlords who provide tenant information to a federal census official; (d) authorizes a landlord or property manager to appear in court to seek final rent and damages related to a dwelling unit; and (e) clarifies remedies for a tenant's failure to prepare the dwelling unit for insecticide or pesticide applications.</p>	Peace	Passed House and Senate	2/22/2018
HB859	<p>Uniform Statewide Building Code; administration and enforcement; agreements for assistance between localities. Provides that the local governing body of a county or municipality may enter into an agreement with the local governing body of another county or municipality for the provision to such county or municipality's local building department of technical assistance with administration and enforcement of the Building Code.</p>	Peace	Passed House and Senate	2/22/2018

HB862	<p>Professions and occupations; real estate licenses; real estate teams. Requires real estate teams as defined in the bill to obtain a business entity license, meaning a real estate firm license or a business entity salesperson's license, from the Real Estate Board (the Board). The bill also expands the responsibilities of supervising brokers and requires that as a condition of the renewal of the license of a supervising broker of a branch office, such broker shall provide to the Board the name and license number of each real estate licensee affiliated with the branch office at the time of the renewal. The bill has a delayed effective date of January 1, 2019.</p>	Peace	Passed House and Senate	2/22/2018
HB866	<p>Scenic river designations. Consolidates provisions of the Scenic Rivers Act relating to prohibitions on the construction of dams and limits on the effects of the Act. The bill contains technical amendments.</p>	Orrock	Passed House and Senate	2/22/2018
HB885	<p>Onsite sewage systems; authority of the Board of Health. Clarifies that the Board of Health shall have supervision and control over the maintenance, inspection, and reuse of conventional onsite sewage systems as well as alternative onsite sewage systems.</p>	Orrock	(H) Passed House (95-Y 3-N); (S) Reported from Education and Health (7-Y 6-N)	2/22/2018
HB887	<p>Onsite sewage systems; maintenance. Provides that the adjustment or replacement of sewer lines, conveyance lines, distribution boxes, or header lines is considered maintenance of an onsite sewage system and thus does not require a permit. Under current law, adjustment and replacement of such equipment requires the system owner to obtain a permit.</p>	Orrock	(H) Passed House; (S) Reported from Education and Health (13-Y 1-N)	2/22/2018
HB888	<p>Onsite sewage systems; evaluation and design services. Directs the Department of Health to take steps to eliminate evaluation and design services for onsite sewage systems and private wells provided by the Department. The bill provides specific requirements and a timeline for such elimination.</p>	Orrock	(H) Passed House; (S) Referred to Committee on Rules; (S) Rereferred to Finance	2/22/2018

HB923	<p>Common Interest Community Board; information on covenants; association disclosure packets and resale certificates. Requires the Common Interest Community Board (Board) to reconfigure its current one-page form that accompanies association disclosure packets that are required to be provided to all prospective purchasers of lots located within a development that is subject to the Virginia Property Owners' Association Act as a cover form to accompany both association disclosure packets and resale certificates that are required to be provided to all prospective purchasers of units located within a condominium that is subject to the Condominium Act. The bill also requires the Board to expand the breadth of information that is included on the form to provide potential purchasers with additional information regarding restrictive covenants that the potential purchaser may be subject to as a member of a property owners' association or a unit owners' association and which may affect the potential purchaser's decision to purchase a lot or unit located within a common interest community.</p>	Bulova	Passed House and Senate	2/21/2018
HB965	<p>Energy efficiency programs; Total Resource Cost Test. Defines the Total Resource Cost Test as a test to determine if the benefit-cost ratio of a proposed energy efficiency program or measure is greater than one. The measure defines "benefit-cost ratio" as the ratio of the net present value of the total benefits of a program or measure, including savings and non- energy benefits, to the net present value of the total incremental costs of implementing that program or measure as calculated over the lifetime of the measures implemented thereunder. An energy efficiency program or measure that meets the Total Resource Cost Test is declared to be in the public interest. The measure provides that an energy efficiency program or measure that fails the Total Resource Cost Test shall be reviewed by the State Corporation Commission (SCC) under other tests for approving energy efficiency. The Total Resource Cost Test is one of the four tests used by the SCC in assessing electricity and natural gas utility energy efficiency programs.</p>	Sullivan	(H) Left in Commerce and Labor	2/13/2018

HB971	Fair Housing Law; unlawful discrimination; gender identity. Adds discrimination based on gender identity as an unlawful housing practice under the Virginia Fair Housing Law. The bill also defines "gender identity."	Guzman	(H) Left in General Laws	2/13/2018
HB1028	Real estate settlement; choice of settlement service provider. Provides that a purchaser or borrower in a transaction related to real estate in the Commonwealth shall have the right to select the settlement agent, mortgage lender or broker, and any other vendor associated with the financing or settlement of such real estate. Currently, such right is limited to the choice of settlement agent. The bill also prohibits the seller or any other party associated with a real estate transaction from requiring the use of, or offering anything of value for the use of, a particular mortgage lender or broker or any other vendor as a condition of the sale.	Convirs-Fowler	(H) Left in General Laws	2/13/2018

<p>HB1031</p>	<p>Common interest communities; disclosure packets. Clarifies that no property owners' association that is not professionally managed is required to provide electronic delivery of the disclosure packet if such an option is not available but must notify the seller or the seller's authorized agent that such option is not available upon receiving such request. The bill allows a property owners' association that is not professionally managed to charge fees at the option of the seller or the seller's agent for (i) expediting the inspection, preparation and delivery of the disclosure packet; (ii) providing an additional hard copy of the disclosure packet; and (iii) providing third-party commercial delivery service. The bill provides that an association that is not professionally managed that acts as a professionally managed association for the purposes of receiving higher fees shall have the responsibilities and liabilities of a professionally managed association and shall collect fees that can be charged by a professionally managed association, provided that the association that is not professionally managed does not use any person who is not a common interest community manager to provide services to the association for compensation for the preparation and issuance of the disclosure packet. The bill also requires that as a prerequisite to charging any fees for the preparation of disclosure packets a property owners' association must register with the Common Interest Community Board, file annual reports, and make annual assessment payments.</p>	<p>Watts</p>	<p>Passed House and Senate</p>	<p>2/22/2018</p>
<p>HB1032</p>	<p>Real estate settlements, prohibition against kickbacks, rebates, or other things of value. Subjects any affiliated settlement service provider of any person selling real property or performing services as a real estate agent, attorney, lay settlement agent, or lender to the prohibition against paying or receiving kickbacks, rebates, or other things of value pursuant to services required to complete a real estate settlement being referred to any person.</p>	<p>Convirs-Fowler</p>	<p>(H) Left in General Laws</p>	<p>2/13/2018</p>

HB1036	<p>Eastern Virginia groundwater management; annual forum; trading work group. Directs the Department of Environmental Quality (the Department) to convene an annual public forum focused on the state of water resources in the Eastern Virginia Groundwater Management Area. The bill also directs the Department to convene a work group to assist the Department in carrying out the 2017 recommendation of the Eastern Virginia Groundwater Management Advisory Committee that an aquifer storage and recovery banking system be developed. The work group shall report its recommendations no later than July 1, 2019.</p>	Hodges	(H) Passed House; (S) Referred to Committee on Agriculture, Conservation and Natural Resources	2/14/2018
HB1038	<p>Virginia Property Owners' Association Act; maintenance of stormwater management facilities. Provides that the board of directors of each association shall be responsible for inspecting and maintaining the stormwater best management practice that serves and is operated or owned by the development.</p>	Convirs-Fowler	(H) Left in General Laws	2/13/2018
HB1040	<p>Common Interest Community Board; complaints from association members and other citizens. Requires condominium, cooperative, and property owners' associations to respond to each complaint from their association members and other citizens, address each issue raised in the complaint in full, and provide the response to the complainant within 30 days of receipt of the complaint.</p>	Convirs-Fowler	(H) Left in General Laws	2/13/2018
HB1041	<p>Virginia Property Owners' Association Act; lot owner rights. Provides lot owners the right to be informed of the count and outcome of a vote on any matter requiring a vote by a property owners' association's membership in proportion to the lot owner's ownership interest. The bill also provides lot owners the right to share recordings of meetings of the board of directors with other lot owners who are members of the association.</p>	Convirs-Fowler	(H) Passed House; (S) Referred to Committee on General Laws and Technology	2/14/2018

HB1043	<p>Property Owners' Association Act; meetings of association boards of directors. Provides that an association member may share a recording of any portion of an association board of directors meeting that is required to be open and that neither the board of directors nor a subcommittee or other committee thereof conducting the meeting shall obstruct a member from recording or sharing a recording of the meeting. The bill also provides that during any portion of a meeting required to be open, the vote of each board member shall be announced to members and recorded in the meeting minutes. Finally, the bill requires that a summary of any comments made by association members and the issues discussed be included in the meeting minutes.</p>	Convirs-Fowler	(H) Left in General Laws	2/13/2018
HB1082	<p>Environmental regulations; no stricter than federal law. Prohibits the Department of Environmental Quality, the State Air Pollution Control Board, the State Water Control Board, and the Virginia Waste Management Board from adopting any environmental rule, regulation, or standard that is inconsistent with or exceeds the requirements of any relevant and duly adopted federal environmental statute, regulation, standard, criterion, or guidance document.</p>	Yancey	(H) Left in Agriculture, Chesapeake and Natural Resources	2/13/2018
HB1094	<p>Chesapeake Bay Preservation Areas; regulations; local permit to raise land. Directs the State Water Control Board to adopt regulations to establish criteria for use by local governments in granting, denying, or modifying a request by any landowner within a Chesapeake Bay Preservation Area to raise the base elevation of his land for the purpose of mitigating the effects of flooding.</p>	Hodges	(H) Left in Agriculture, Chesapeake and Natural Resources	2/13/2018
HB1120	<p>Common Interest Community Board; powers and duties concerning associations. Requires the Common Interest Community Board to intervene in the internal activities of an association to the extent necessary to prevent or cure violations pursuant to the provisions in Title 54.1 (Professions and Occupations) regarding common interest communities, the provisions pursuant to which the association is created, and the Virginia Nonstock Corporation Act (§ 13.1-801 et seq.) if the association is subject to that Act.</p>	Convirs-Fowler	(H) Left in General Laws	2/13/2018

<p>HB1121</p>	<p>Property Owners' Association Act; Common Interest Community Board; compliance of property owners' associations with the Virginia Nonstock Corporation Act. Codifies that a property owners' association subject to the provisions of the Virginia Nonstock Corporation Act (§ 13.1-801 et seq.) must comply with the provisions of the declaration, the Property Owners' Association Act (§ 55-508 et seq.), and the Virginia Nonstock Corporation Act. The bill requires the Common Interest Community Board to intervene in the internal activities of an association to the extent necessary to prevent or cure violations of the provisions in Title 54.1 (Professions and Occupations) regarding common interest communities, the provisions pursuant to which the association is created, and the Virginia Nonstock Corporation Act, if the association is subject to that Act.</p>	<p>Convirs-Fowler</p>	<p>(H) Left in General Laws</p>	<p>2/13/2018</p>
<p>HB1122</p>	<p>Property Owners' Association Act; access to association records. Creates additional recordkeeping requirements for associations, including requirements to keep records of (i) the association's current membership, including each member's address, telephone number, and email address, if any; (ii) a copy of the current declaration, the association's articles of incorporation and bylaws, and any rules and regulations or architectural guidelines adopted by the association; (iii) a copy of all minutes of the board of directors and association meetings; and (iv) records of all correspondence between management or members of the association's board of directors and association members. The bill provides that such records be available, subject to certain enumerated exceptions, for examination and copying by a member in good standing or his authorized agent. The bill contains technical amendments.</p>	<p>Convirs-Fowler</p>	<p>(H) Left in General Laws</p>	<p>2/13/2018</p>

<p>HB1123</p>	<p>Property Owners' Association Act; minutes of meetings of association boards of directors. Specifies that minutes of meetings of association boards of directors must be in writing and must include (i) the date, time, and location of the meeting; (ii) the members of the board of directors recorded as present and absent; (iii) a summary of the discussion on all matters proposed, deliberated, or decided; (iv) a list of any speakers appearing before the board and a summary of their presentations; and (v) a record of any votes taken, including details as to the specific vote of each board member. The bill provides that minutes may be recorded in a more general format so long as they are supplemented by an audio or video recording of the entirety of the meeting using a means of recording that fully captures and can clearly reproduce all of the statements made during the meeting.</p>	<p>Convirs-Fowler</p>	<p>(H) Left in General Laws</p>	<p>2/13/2018</p>
<p>HB1171</p>	<p>Construction contracts; liability for payment of wages. Provides that construction contracts shall be deemed to include a provision under which the general contractor and the subcontractor are jointly and severally liable to pay the wages due to the subcontractor's employees. The measure provides that if the wages due to the subcontractor's employees are not paid, the general contractor is subject to criminal and civil penalties for which an employer is liable for failing or refusing to pay wages. The measure requires the subcontractor to indemnify the general contractor for wages, damages, interest, penalties, or attorney fees owed as a result of the subcontractor's failure to pay the wages unless the subcontractor's failure to pay wages was due to the general contractor's failure to pay moneys due to the subcontractor. The measure also provides that the lack of privity between the general contractor and the employees of the subcontractor is not a defense in an action against the general contractor arising from nonpayment of wages to the subcontractor's employees.</p>	<p>Krizek</p>	<p>(H) Left in Commerce and Labor</p>	<p>2/13/2018</p>

<p>HB1185</p>	<p>Regional water resource planning; State Water Control Board regulations. Directs the State Water Control Board (the Board) to predict the risk that each locality and region in the Commonwealth will experience water supply shortfalls, to encourage the development of cross-jurisdictional water supply projects, and to adopt regulations designating regional planning areas based primarily on river basin. Each locality in a particular regional planning area shall participate in cross-jurisdictional, coordinated water resource planning, and all localities in each area shall together develop and submit a single regional water supply plan. The bill directs the Department of Environmental Quality (the Department) to facilitate the creation of the regional water plans by ensuring sufficient coordination among localities, providing planning and other assistance, and ensuring that each regional plan identifies risks and proposes cost-effective strategies in response. The bill directs that the Board and the Department prioritize the allocation of funds to localities that sufficiently participate in regional planning. The bill contains technical amendments.</p>	<p>Carr</p>	<p>(H) Left in Agriculture, Chesapeake and Natural Resources</p>	<p>2/13/2018</p>
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<p>HB1186</p>	<p>Ground water withdrawal permit; priority for human consumptive use; public supplier. Directs the State Water Control Board (the Board) to instruct the Department of Environmental Quality (the Department) to modify the permitted withdrawal amounts for certain industrial holders of water withdrawal permits within the Eastern Virginia Groundwater Management Area (EVGMA). The bill establishes several steps for modifying the permitted withdrawal amounts: (i) beginning in 2021, the Department shall accept requests for additional withdrawals from existing public water suppliers; (ii) beginning in 2022, the Department shall notify each large industrial permit holder that its permit will be modified; (iii) beginning in 2023, the Department shall reduce the permitted withdrawal amounts of the large industrial withdrawers and increase the permitted withdrawal amounts of public water suppliers as needed; and (iv) by July 1, 2017, the Board shall issue ground water permits for all public water suppliers in the EVGMA as their existing permits expire. The bill also states the findings of the General Assembly that the supply of ground water in the EVGMA is insufficient and that economic growth is hampered as a result, and it reaffirms the policy, found in state law, that preference be given to human consumptive use when proposed uses are in conflict.</p>	<p>Carr</p>	<p>(H) Left in Agriculture, Chesapeake and Natural Resources</p>	<p>2/13/2018</p>
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<p>HB1217</p>	<p>Waterworks; yield testing; monitoring of existing active wells. Provides that, prior to issuing a permit to operate a waterworks, the Commissioner of Health shall require a yield test of such waterworks system, which shall include monitoring of all active wells located within 500 feet of the water source for the waterworks system for which the permit is sought or, if no existing active wells are located within 500 feet of such water source, of all existing active wells located on lots that are adjacent to the lot on which the water source is located to determine the impact of the waterworks for which a permit is sought on such existing active wells. The Commissioner shall deny the permit if, during the course of such monitoring, any of such existing active wells shows a reduction in well efficiency of five percent or more or is unable to supply the dwelling it serves with a continuous water supply for a minimum of 20 minutes at the maximum pumping rate.</p>	<p>Hugo</p>	<p>(H) Left in Health, Welfare and Institutions</p>	<p>2/13/2018</p>
<p>HB1227</p>	<p>Virginia Residential Landlord and Tenant Act; transient lodging as primary residence for fewer than 90 consecutive days; self-help eviction. Provides that in the case of transient lodging used as a primary residence for fewer than 90 consecutive days, the availability to the landlord of self-help eviction does not preclude arrest or prosecution for any violation of any criminal law of the state, including trespass.</p>	<p>Hayes</p>	<p>Passed House and Senate; (G) Governor's Action Deadline Midnight, March 1, 2018</p>	<p>2/22/2018</p>

<p>HB1253</p>	<p>Net energy metering by municipalities. Authorizes municipal renewable energy net metering projects. Participating municipalities are authorized to aggregate the electric energy load of their governmental buildings, facilities, and any other governmental operations requiring the consumption of electric energy for the purpose of net energy metering from a renewable energy generating facility. To be eligible, the generation facility for the municipal renewable energy net metering project shall use as its sole energy source solar power, wind power, or aerobic or anaerobic digester gas and landfill gas; not have an aggregate generation capacity of more than five megawatts unless a utility elects a higher capacity; be located on land owned, leased, or operated by the municipality; be interconnected and operated in parallel with an electric utility's transmission and distribution facilities; and be used primarily to provide energy to metered accounts of the municipality. The aggregated municipal net metered accounts may be served by multiple meters that are located at separate sites.</p>	<p>Tran</p>	<p>(H) Left in Commerce and Labor</p>	<p>2/13/2018</p>
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<p>HB1307</p>	<p>Stormwater management; rural Tidewater; tiered approach to water quantity technical criteria; impervious cover percentage. Allows any rural Tidewater locality, as defined in the bill, to comply with water quantity technical criteria for certain land-disturbing activities based on the percentage of impervious cover in the watershed. The bill provides that any eligible locality electing to use certain control standards shall, by ordinance, adopt an official map that indicates the percentage of impervious cover in each watershed within the locality and shall update the map at least annually. The bill allows any such locality to apply one of the following three standards for managing water quantity to any new development project: (i) if the site, as indicated on the map, has less than 5.0 percent impervious cover, the standard shall be a particular State Water Control Board regulation; (ii) if the watershed has 5.0 percent or more but less than 7.5 percent impervious cover, the standard shall be the one-year, 24-hour release method; and (iii) if the watershed has 7.5 percent or more impervious cover, the standard shall be the energy balance method. The bill provides that any project whose construction would cause the watershed in which it is located to step up to the next higher tier shall be evaluated under the energy balance method or a more stringent alternative. The bill also directs the Department of Environmental Quality to use an appropriate new or existing Regulatory Advisory Panel to assist in clarifying the interpretation and application of the MS-19 standard.</p>	<p>Hodges</p>	<p>Passed House and Senate</p>	<p>2/22/2018</p>
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<p>HB1308</p>	<p>Stormwater; local plan review; acceptance of signed plan in lieu of review. Authorizes any rural Tidewater locality, whether or not it has opted out of administering a stormwater or erosion and sediment control program, to require that a licensed professional retained by the applicant submit a set of plans and supporting calculations for land-disturbing activities that disturb 2,500 square feet or more but less than one acre of land. The bill requires the plans to bear a certification and to be signed and sealed by the professional. The locality is required to accept such plans in satisfaction of the local plan review requirement. The bill also directs the Department of Environmental Quality to examine the possibility of expanding the use of the agreement in lieu of a stormwater management plan, currently authorized for use in the construction of certain single-family residences, to include any nonresidential development site of less than one acre in a rural Tidewater locality.</p>	<p>Hodges</p>	<p>Passed House and Senate</p>	<p>2/22/2018</p>
<p>HB1319</p>	<p>Mass transit in the Commonwealth. Makes numerous changes to the administration of and revenues for mass transit in the Commonwealth, specifically as it relates to the membership and funding of the Washington Metropolitan Area Transit Authority, the disbursement of funds in the Commonwealth Mass Transit Fund, and the authority of the Commonwealth Transportation Board to issue bonds for transit capital. The bill sets a floor on the average price of fuel used to calculate the regional motor sales tax as the price of gas on February 20, 2013, the same floor that is used to calculate the state fuels tax. The bill also raises the regional congestion relief fee and the regional transient occupancy tax in the Northern Virginia region to raise additional revenues for mass transit.</p>	<p>Sullivan</p>	<p>(H) Incorporated by Transportation (HB1539- Hugo) by voice vote</p>	<p>2/8/2018</p>

<p>HB1363</p>	<p>Historic rehabilitation tax credit; expands availability of credit for projects rehabilitating schools. Provides that a project may qualify as eligible for the state historic rehabilitation tax credit if it involves rehabilitating property for new use as a school. Current law requires projects to be used either for their historic purpose or for a new use that requires minimal change to the defining characteristics of the building. The bill also provides that for a project rehabilitating a school or a structure to be used as a school expenses incurred in such project shall be eligible for the credit regardless of whether the person who incurs the expenses owns the building. The bill provides that a building qualifies as a historic structure if it is a public school in a school division in which at least half the schools receive funding pursuant to Title I of the federal Elementary and Secondary Education Act. The bill provides that if a project rehabilitates a school, the project qualifies as a material rehabilitation if it costs at least 10 percent of the school's assessed value. Under current law, projects generally must cost at least 50 percent of the assessed value of a building to qualify.</p>	<p>Miyares</p>	<p>(H) Left in Finance</p>	<p>2/13/2018</p>
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HB1374	<p>Sewerage systems; state adoption of federal criteria; ammonia. Directs the State Water Control Board not to adopt certain U.S. Environmental Protection Agency (EPA) freshwater ammonia water quality criteria (the Criteria) until all other states in EPA Regions III and IV have done so, unless the EPA Administrator informs the Commonwealth in writing that such timing is unlawful under the federal Clean Water Act. The bill also directs the Department of Environmental Quality to (i) identify any other states that have adopted the Criteria as of July 1, 2018; (ii) identify those procedures for the implementation of the Criteria that will minimize the impact of such implementation on Virginia sewerage systems while complying with the Clean Water Act; and (iii) report its findings to the Chairmen of the Senate Committee on Agriculture, Conservation and Natural Resources, the House Committee on Agriculture, Chesapeake and Natural Resources, the Senate Finance Committee, and the House Appropriations Committee by November 1, 2018.</p>	Poindexter	(H) Stricken from docket by Agriculture, Chesapeake and Natural Resources (22-Y 0-N)	2/7/2018
HB1408	<p>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.</p>	Bourne	(H) Left in General Laws	2/13/2018
HB1411	<p>Statewide Fire Prevention Code; powers and duties of the Virginia Fire Services Board. Transfers primary authority for the adoption of the Statewide Fire Prevention Code from the Board of Housing and Community Development to the Virginia Fire Services Board (the Board). The bill allows the Board to convene an ad hoc committee whenever it proposes a change to the Statewide Fire Prevention Code for the purpose of advising the Board. The bill also requires the Board to develop the means to publicize the policies and programs of the Department of Fire Programs to educate the public and elicit public support. The bill contains technical amendments.</p>	Helsel	(H) Left in Counties, Cities and Towns	2/13/2018

HB1420	<p>Statewide Fire Prevention Code; powers and duties of the Virginia Fire Services Board. Transfers primary authority for the adoption of the Statewide Fire Prevention Code from the Board of Housing and Community Development to the Virginia Fire Services Board (the Board). The bill allows the Board to convene an ad hoc committee whenever it proposes a change to the Statewide Fire Prevention Code for the purpose of advising the Board. The bill also requires the Board to develop the means to publicize the policies and programs of the Department of Fire Programs to educate the public and elicit public support. The bill contains technical amendments.</p>	Collins	(H) Left in Counties, Cities and Towns	2/13/2018
HB1442	<p>Real property tax; assessment of wetlands. Requires the commissioner of revenue to separately and specially assess wetlands when requested by the owner of such property on which wetlands are found, and to use the National Wetlands Inventory Map or other similar federal or state map if he disagrees as to the presence of wetlands. Under current law, the commissioner of revenue shall consider assessing wetlands separately and specially at the request of the owner, and he shall consider such maps if he disagrees with the owner.</p>	Orrock	(H) Passed House; (S) Referred to Committee on Finance	2/14/2018
HB1446	<p>Conditional rezoning proffers.</p>	Sickles	(H) Left in Counties, Cities and Towns	2/13/2018
HB1476	<p>Uniform Statewide Building Code. Directs the Board of Housing and Community Development to amend the Uniform Statewide Building Code (§ 36-97 et seq.) to require the installation of arc fault circuit interrupter protection for detached one-family and two-family dwellings and townhouses pursuant to the International Residential Code and in compliance with the requirements of the National Electrical Code.</p>	Hope	(H) Left in General Laws	2/13/2018

HB1533	<p>Virginia Property Owners' Association Act; applicability. Provides that the Virginia Property Owners' Association Act (§ 55-508 et seq.) shall be applicable to any development established prior to the former Subdivided Land Sales Act (§ 55-336 et seq.) (i) containing 500 or more lots, (ii) having each lot contained in the development being located within the boundaries of a watershed improvement district, and (iii) having each lot subject to substantially similar deed restrictions contained in one or more declarations.</p>	Kory	(H) Passed House; (S) Referred to Committee on General Laws and Technology	2/13/2018
HB1547	<p>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.</p>	Simon	(H) Left in General Laws	2/13/2018
HB1566	<p>Stormwater; local plan review; acceptance of plan by professional engineer in lieu of review. Authorizes any stormwater management program authority or erosion and sediment control program authority, or a locality that has opted out of administering a stormwater or erosion and sediment control program, to require that a licensed professional engineer retained by the applicant submit a set of plans and supporting calculations for land-disturbing activities of greater than one acre in extent. The bill requires the plans to be signed and stamped by the engineer. The program authority or locality is required to accept such plans in satisfaction of the local plan review requirement.</p>	Hodges	(H) Committee on Agriculture, Chesapeake and Natural Resources; (H) Stricken from docket by Agriculture, Chesapeake and Natural Resources (22-Y 0-N)	1/31/2018
HB1585	<p>Property Owners' Association Act; operation of the association; requirements for certain associations; enforcement. Applies to the Property Owners' Association Act certain provisions of the Virginia Nonstock Corporation Act for associations incorporated under that act. The bill provides that such provisions are to be enforced by the Common Interest Community Board.</p>	Convirs-Fowler	(H) Left in General Laws	2/13/2018

HB1595	Vested rights; existing landscape cover materials. Prohibits an owner of real property who has an occupancy permit as of January 1, 2018, from being required to retrofit existing landscape cover materials, or from continuing to use, supplement, or refurbish existing landscape cover materials on their property.	Wilt	(H) Passed House; (S) Reported from Local Government; (S) Constitutional reading dispensed	2/22/2018
HB1608	The Virginia Water Quality Improvement Fund; publicly owned treatment works; nutrient reduction. Authorizes the Director of the Department of Environmental Quality (the Department) to issue grants from the Virginia Water Quality Improvement Fund for water quality improvements, including cost effective technologies to reduce loads of total phosphorus, total nitrogen, or nitrogen-containing ammonia, in order to meet certain requirements of ammonia-related regulations that are more stringent than those adopted by the State Water Control Board (the Board). The bill also requires the Department to prepare a preliminary estimate of the amount and timing of Water Quality Improvement Grants required to fund projects to reduce loads of nitrogen-containing ammonia at certain levels based on an estimate of the anticipated range of costs for all publicly owned treatment works if the Board were to adopt the 2013 Aquatic Life Ambient Water Quality Criteria for Ammonia published by the U.S. Environmental Protection Agency.	Poindexter	(H) Passed House; (S) Referred to Committee on Agriculture, Conservation and Natural Resources	2/14/2018
HJ13	Encouraging localities to develop a more uniform and streamlined permitting process. Expresses the sense of the General Assembly that localities be encouraged to develop a more uniform and streamlined permitting process. Such an effort would benefit from having the Virginia Association of Counties and the Virginia Municipal League take the lead in developing a model application and permitting process while utilizing the best practices from localities throughout the Commonwealth.	Yancey	(H) Left in Rules	2/13/2018

HJ17	<p>Study; Standards of Learning Innovation Committee; experiential learning and workforce development opportunities in high-demand fields; report. Requests that the Standards of Learning Innovation Committee study experiential learning and workforce development opportunities for high school students in high-demand fields. The bill requires the Standards of Learning Innovation Committee to reports its findings no later than the first day of the 2019 Regular Session of the General Assembly.</p>	Filler-Corn	(H) Left in Rules	2/13/2018
HJ26	<p>Study; continuing the Joint Subcommittee on Coastal Flooding; report. Continues the Joint Subcommittee on Coastal Flooding for two additional years, through the 2019 interim.</p>	Stolle	(H) Passed House; (S) Referred to Committee on Rules	2/13/2018
HJ27	<p>Study; JLARC; ongoing efforts throughout the Commonwealth with regard to coastal flooding adaptation and resiliency; report. Directs the Joint Legislative Audit and Review Commission (JLARC) to study ongoing efforts throughout the Commonwealth with regard to coastal flooding adaptation and resiliency. The resolution directs JLARC, in conducting its study, to (i) conduct an assessment of the economic exposure of the Commonwealth from a natural disaster; (ii) conduct a comprehensive review of state resources currently available to businesses following a natural disaster; (iii) assess the adequacy and effectiveness of the Commonwealth's coastal flooding and adaptation development programs, particularly in Hampton Roads, the Peninsula, and the Northern Neck; (iv) assess how effectively the state and local governments develop, manage, and oversee coastal flooding and adaptation practices and strategies; (v) examine best practices and strategies used by the public and private sectors in other states and other countries to manage and "live with" water through successful coastal flooding and adaptation strategies; and (vi) review any other issues and make recommendations as appropriate.</p>	Stolle	(H) Left in Rules	2/13/2018

HJ93	<p>Study; stormwater best management practices; planting and preservation of trees; report. Directs the Department of Environmental Quality to study whether the planting and preservation of trees shall be certified as a stormwater best management practice and, if so, how much credit shall be awarded.</p>	Lopez	(H) Left in Rules	2/13/2018
SB20	<p>Red Tape Reduction Commission; review of regulatory requirements; report. Creates the Red Tape Reduction Commission (the Commission) to develop and maintain a state regulatory baseline of all current state regulatory requirements, with the initial baseline to be completed by January 1, 2020. The bill defines a regulatory requirement as any action required to be taken or information required to be provided in accordance with a statute or regulation in order to access government services or operate and conduct business and excludes requirements that are necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved or to meet requirements of federal law or regulations. The bill also provides that after the regulatory baseline has been established, any subsequent regulatory requirement proposed by an agency that is not included in the initial state regulatory baseline is considered a new regulatory requirement and requires the approval of the Commission before it may be enacted. The bill prohibits the Commission from approving a new regulation unless it replaces or repeals at least two existing regulations, until the total baseline has been reduced by 35 percent. Thereafter, approvals and corresponding replacement or repeal by the Commission shall be on a one-for-one basis. In addition, the bill provides for the Commission to review current state regulatory requirements and provide recommendations to the Governor and General Assembly on measures to reduce the baseline regulatory requirements. The bill requires the Commission to submit a report to the Governor and General Assembly by November 1, 2018, on (i) the organizational structure of the Commission, (ii) duties of staff, and (iii) guidelines for determining what constitutes a regulatory requirement.</p>	Chase	(S) Passed Senate; (H) Reported from Appropriations with amendment (22-Y 0-N)	2/21/2018

SB129	<p>Subdivision ordinance; pro rata share of certain road improvements. Adds the City of Chesapeake to those localities that may require payment by a subdivider or developer of land of a pro rata share of the cost of reasonable and necessary road improvements, located outside the property limits of the land owned or controlled by him but serving an area having related traffic needs to which his subdivision or development will contribute, to reimburse an initial subdivider or developer who has advanced such costs or constructed such road improvements. The City of Chesapeake appears to have been inadvertently dropped from this statute during a 2007 Code revision.</p>	Cosgrove	(S) Passed Senate (39-Y 0-N); (H) Reported from Counties, Cities and Towns with amendments (21-Y 0-N)	2/23/2018
SB187	<p>Zoning violation penalties. Increases the maximum fine for misdemeanor conviction of a zoning violation from \$1,000 to \$2,500. The bill also increases the maximum fine for failure to remove or abate the zoning violation after conviction from \$1,500 to \$2,500 for succeeding 10-day periods.</p>	Favola	(S) Passed Senate; (H) Reported from Counties, Cities and Towns (13-Y 8-N)	2/23/2018
SB195	<p>Virginia Residential Rent-to-Own Real Estate Contracts Act; civil penalties. Creates the Virginia Residential Rent-to-Own Real Estate Contracts Act that establishes contract requirements and prohibitions for installment land contracts and lease-option contracts as defined in the bill. Under the bill, a violation by a person who sells, or proposes to sell, real property under an installment land contract or lease-option contract constitutes a fraudulent act or practice for purposes of applying the Virginia Consumer Protection Act.</p>	Locke	(S) Passed by indefinitely in General Laws and Technology with letter (15-Y 0-N)	1/22/2018

SB197	<p>Landlord and tenant law; notice requirements; landlord's acceptance of rent with reservation. Changes the landlord and tenant law notice requirements for landlords to accept full or partial rent while continuing to proceed with a court action to obtain an order of possession and subsequent eviction by creating a single notice and removing the requirement for second notice for the time period between entry of an order of possession and prior to eviction. The bill provides that the landlord may accept full or partial payment of rent and still receive an order of possession and proceed with eviction if the landlord states in the written notice to the tenant that any payment of rent, damages, money judgment, award of attorney fees, and court costs would be accepted with reservation and not constitute a waiver of the landlord's right to evict the tenant from the dwelling unit. The bill also (i) provides that if a dwelling unit is a public housing unit or other housing unit subject to regulation by the Department of Housing and Urban Development, written notice of acceptance of rent with reservation need not be given to any public agency paying a portion of the rent under the rental agreement and (ii) removes language providing that if the landlord enters into a new rental agreement with the tenant prior to eviction, an order of possession obtained prior to the entry of such new rental agreement is not enforceable.</p>	Locke	Passed House and Senate; House substitute agreed to by Senate	2/22/2018
SB200	<p>Local government taxing authority. Equalizes municipal taxing authority and county taxing authority by granting a county the same authority available to a municipality through the uniform charter powers. The bill has a delayed effective date of July 1, 2019, prior which to the Division of Legislative Services is directed to convene a working group to develop recommendations as to what additional legislative changes are needed to effectuate the provisions of the bill.</p>	Favola	(S) Passed by indefinitely in Finance with letter (15-Y 0-N)	1/31/2018

SB208	<p>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.</p>	Stuart	(S) Continued to 2019 in Local Government (11-Y 0-N)	2/6/2018
SB211	<p>Comprehensive plans; groundwater and surface water. Authorizes a locality to show in the locality's comprehensive plan the locality's long-range recommendations for groundwater and surface water availability, quality, and sustainability. The bill requires the local planning commission to survey and study groundwater and surface water availability, quality, and sustainability in the preparation of a comprehensive plan.</p>	Stuart	Passed House and Senate	2/22/2018
SB290	<p>Affordable dwelling unit ordinances. Expands from specific localities to any locality the scope of existing enabling legislation related to affordable dwelling unit ordinances, making such legislation applicable statewide. Other existing statewide provisions related to affordable dwelling unit ordinances are repealed and references to those provisions are deleted.</p>	McClellan	(S) Passed Senate; (H) Referred to Committee on Counties, Cities and Towns	2/15/2018
SB319	<p>General contractors; waiver or diminishment of lien rights; subordination of lien rights. Provides that a general contractor may not waive or diminish his lien rights in a contract in advance of furnishing any labor, services, or materials. The bill further provides that, notwithstanding the prohibition against waiving or diminishing such a lien right, a general contractor may, prior to or after providing any labor, services, or materials, contract to subordinate his lien rights to prior and later recorded deeds of trust, provided that such contract is (i) in writing and (ii) signed by any general contractor whose lien rights are being subordinated pursuant to such contract.</p>	Ruff	Passed House and Senate	2/21/2018

SB328	<p>Common Interest Community Board; disclosure packets; registration of associations. Requires the Common Interest Community Board to include information regarding the meaning of developer control in its current one- page form that accompanies association disclosure packets that are required to be provided to all prospective purchasers of lots located within a development that is subject to the Virginia Property Owners' Association Act. The bill also requires the developer to file an annual report for the association of the development with the Common Interest Community Board within 30 days after the recordation of the declaration.</p>	Dunnavant	(S) Passed Senate (39-Y 0-N); (H) Referred to Committee on General Laws; (H) Assigned GL sub: Subcommittee #2	2/13/2018
SB390	<p>Taxation in the Commonwealth. Makes numerous changes to the Commonwealth's tax structure. The bill creates two new income brackets for the calculation of individual income taxes and lowers the corporate income tax rate. The tax credit for low-income taxpayers would become refundable, and taxpayers would be prohibited from using the same donation to both receive certain tax credits and take a charitable deduction. The bill reinstates the estate tax. The state sales tax on food would be eliminated, and sales tax would be imposed on certain services and digital products. The transient occupancy tax would be imposed on the entire cost of the use or possession of the room. The tobacco tax would be raised.</p>	Marsden	(S) Passed by indefinitely in Finance with letter (15-Y 0-N)	1/31/2018

SB391	<p>Housing; installation and maintenance of smoke and carbon monoxide alarms. Creates a statewide standard for the installation and maintenance of smoke and carbon monoxide alarms in rental property. The bill requires a landlord to (i) install a smoke alarm without retrofitting the installation site and (ii) certify annually that smoke alarms have been installed and maintained in good working order in a residential dwelling unit pursuant to the Statewide Fire Prevention Code (§ 27-94 et seq.) and the Uniform Statewide Building Code (§ 36-97 et seq.). The landlord is also required to install a carbon monoxide alarm upon request by a tenant; the installation and subsequent maintenance must be in compliance with the Statewide Fire Prevention Code and the Uniform Statewide Building Code. A tenant of a rental dwelling unit with a smoke alarm or both smoke and carbon monoxide alarms shall not tamper or remove such alarms. Under the bill, a reasonable accommodation must be made for persons who are deaf or hearing impaired, upon request. Localities that have enacted a fire and carbon monoxide alarm ordinance must conform such ordinances with these state standards by July 1, 2019. The bill also requires the Department of Housing and Community Development, in consultation with the Department of Fire Programs, to develop a form for landlords for use in certifying inspections that summarizes smoke alarm maintenance requirements for landlords and tenants. The bill is a recommendation of the Virginia Housing Commission.</p>	Barker	Passed House and Senate	2/22/2018
SB423	<p>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.</p>	Wexton	(S) Passed Senate; (H) Referred to Committee on General Laws; (H) Subcommittee #2 recommends laying on the table (5-Y 2-N)	2/8/2018

<p>SB458</p>	<p>Conditional proffers; public facility capacity; previously approved residential developments. Authorizes a locality to base its assessment of a public facility's capacity on the projected impacts specifically attributable to previously approved residential developments, or portions thereof, that have not yet been completed when determining whether a proffer is unreasonable. The bill also removes language prohibiting a locality from accepting any unreasonable proffer; language prohibiting a locality from requesting any unreasonable proffer is retained.</p>	<p>Peake</p>	<p>(S) Continued to 2019 in Local Government (13-Y 0-N)</p>	<p>2/8/2018</p>
<p>SB460</p>	<p>Professions and occupations; home inspectors; assertion as to presence or absence of radon. Provides that no home inspector shall make any assertion as to the presence or absence of radon, or amount thereof, in a residential building, nor conduct or offer to conduct any radon screening or testing, unless he (i) is listed as a professional by either the National Radon Proficiency Program or the National Radon Safety Board or (ii) meets any other proficiency measures deemed acceptable by the U.S. Environmental Protection Agency or the Board of Health for the purpose of offering such screening or testing, and otherwise complies with additional requirements contained in Title 32.1 (Health).</p>	<p>Stanley</p>	<p>(S) Committee on General Laws and Technology; (S) Passed by indefinitely in General Laws and Technology with letter (10- Y 0-N)</p>	<p>1/22/2018</p>

SB469	<p>Conditional zoning. Removes restrictions on the types of proffers a locality may request or accept in connection with a rezoning or proffer condition amendment as a condition of approval of a new residential development or residential use. The bill removes a restriction on denying an application on the basis of a failure or refusal to submit an unreasonable proffer or proffer condition amendment. The bill also removes a requirement that a proffer be made only when the new development will create a need in excess of the existing public facility capacity. The bill removes the requirement that a court hearing the appeal of a rezoning or amendment to an existing proffer action presume, absent clear and convincing evidence to the contrary, that the initial refusal or failure to submit an unreasonable proffer was the controlling basis for the denial of the application when the applicant can show by a preponderance of the evidence that it refused or failed to submit an unreasonable proffer. The bill removes the right of an applicant appealing a rezoning or amendment to an existing proffer action to recover reasonable attorney fees and costs. The bill removes a requirement that a reviewing court remand the action with a direction to approve the rezoning or proffer condition amendment. The bill eliminates an exception to proffer restrictions for a new residential development or residential use in a small area comprehensive plan.</p>	Reeves	(S) Stricken at request of Patron in Local Government (10-Y 0-N)	2/6/2018
SB478	<p>Department of Professional and Occupational Regulation; contractors; prohibited acts. Provides that a contract entered into by a person undertaking work without a valid Virginia contractor's license is unenforceable by such person. However, the bill also prohibits assertion of lack of licensure or certification as a defense to any action or suit if the unlicensed contractor gives substantial performance within the terms of the contract in good faith and without actual knowledge that a license or certificate was required.</p>	Reeves	(S) Passed Senate; (H) Referred to Committee on General Laws; (H) Assigned GL sub: Subcommittee #2	2/19/2018

SB488	<p>Statewide Fire Prevention Code; powers and duties of the Virginia Fire Services Board. Transfers primary authority for the adoption of the Statewide Fire Prevention Code from the Board of Housing and Community Development to the Virginia Fire Services Board (the Board). The bill allows the Board to convene an ad hoc committee whenever it proposes a change to the Statewide Fire Prevention Code for the purpose of advising the Board. The bill also requires the Board to develop the means to publicize the policies and programs of the Department of Fire Programs to educate the public and elicit public support. The bill contains technical amendments.</p>	Edwards	(S) Passed by indefinitely in General Laws and Technology (10-Y 4-N 1-A)	1/29/2018
SB507	<p>Stormwater management regulations; localities outside Chesapeake Bay watershed. Provides that in a locality that is located entirely outside of the Chesapeake Bay watershed, the State Water Control Board and the Department of Environmental Quality shall apply the water quality and water quantity requirements that were in effect prior to July 1, 2014.</p>	Carrico	(S) Failed to report (defeated) in Agriculture, Conservation and Natural Resources (7-Y 7-N 1-A)	1/25/2018
SB529	<p>Board for Contractors; prerequisites to obtaining a building permit; elimination of affidavit requirement. Removes the requirement that a building permit applicant's written statement that he is not subject to licensure or certification as a contractor or subcontractor be supported by an affidavit but adds a requirement that the applicant include in the written statement the identifying information of the licensed or certified person who will be carrying out or superintending the work. The bill contains technical amendments.</p>	Mason	Passed House and Senate	2/22/2018

SB554	<p>Statewide Fire Prevention Code; City of Harrisonburg; installation or use of landscape cover materials. Provides that notwithstanding any provision of law, general or special, any ordinance in effect and any ordinance adopted by the governing body of the City of Harrisonburg shall not include in any local fire prevention regulations that an owner of real property who has an occupancy permit issued by the City (i) use certain landscape cover materials, (ii) not use certain landscape cover materials, (iii) retrofit existing landscape cover materials, or (iv) in any way be prohibited from continuing to use, supplement, or refurbish the existing landscape cover materials at such property.</p>	Obenshain	(S) Stricken at request of Patron in Local Government (10-Y 0-N)	2/6/2018
SB569	<p>Department of Professional and Occupational Regulation; Board for Contractors; exemption from licensure. Exempts from licensure any person who is (i) a student in good standing and enrolled in a public or private institution of higher education, (ii) a student enrolled in a career training or technical education program, or (iii) an apprentice. The bill expands a current exemption from licensure for work undertaken by a person providing construction, remodeling, repair, improvement, removal, or demolition on behalf of a properly licensed contractor by raising the value threshold from \$2,500 or less to \$5,000 or less per project and by adding a home improvement building contractor classification to the list of valid licenses the supervising contractor may hold.</p>	DeSteph	(S) Passed Senate (30-Y 10-N); (H) Referred to Committee on General Laws; (H) Assigned GL sub: Subcommittee #1	2/19/2018

SB576	<p>Stream restoration; standards and specifications. Allows a person engaging in more than one jurisdiction in the creation and operation of a stream restoration project for purposes of reducing nutrients or sediment entering state waters the same opportunity to submit standards and specifications for Department of Environmental Quality approval that describe how land-disturbing activities shall be conducted as an alternative to submitting soil erosion control and stormwater management plans as allowed in current law to a person engaging in more than one jurisdiction in the creation and operation of a wetland mitigation or stream restoration bank pursuant to a mitigation banking instrument signed by the Department, the Marine Resources Commission, or the U.S. Army Corps of Engineers.</p>	Hanger	(S) Passed Senate (39-Y 0-N 1- A); (H) Reported from Agriculture, Chesapeake and Natural Resources (21-Y 0-N)	2/22/2018
SB582	<p>Open-space lands; conversion or diversion. Increases the threshold for the substitution of real property when lands are converted or diverted from open-space land use, requiring the substitute land to have "substantially" greater value as permanent open-space land than the land being converted or diverted. The bill establishes several requirements that an applicant for such conversion or diversion, such as an electric utility or a pipeline company, shall meet, including the requirements that it demonstrate the essentiality of its project, show that no feasible alternative exists, pay for appraisals conducted by a certified general real estate appraiser, and explain why, if the substitute land is not adjacent to the land to be converted or diverted, adjacent land could not be acquired. The bill also requires the creation of a stewardship fund for the substitute land.</p>	Hanger	(S) Passed Senate (40-Y 0-N); (H) Subcommittee #2 recommends continuing to 2019	2/20/2018

SB585	<p>Chesapeake Bay Restoration Fund and Chesapeake Bay Restoration Fund Advisory Committee. Clarifies the purposes for which grants from the Chesapeake Bay Restoration Fund (the Fund) are to be used and clarifies that guidelines for the use of such grants shall be developed by the Chesapeake Bay Restoration Fund Advisory Committee (the Committee) in accordance with such purposes. The bill shifts the date by which the Committee is required to present a plan for expenditure of any amounts in the Fund. The bill contains technical amendments.</p>	DeSteph	(S) Passed Senate; (H) Referred to Committee on Transportation; (H) Subcommittee #3 recommends reporting (6-Y 0-N)	2/21/2018
SB627	<p>Department of Professional and Occupational Regulation; home inspectors; certain contract provisions prohibited. Prohibits a contract for home inspection services from including any provision limiting the liability of any home inspector arising from his acts or limiting any business that provides home inspection services from liability for the acts of its employees or agents.</p>	Surovell	(S) Passed by indefinitely in General Laws and Technology with letter (15-Y 0-N)	1/29/2018
SB705	<p>Virginia Condominium Act and the Property Owners' Association Act; contents of association disclosure packet; unfunded capital reserves. Provides for the disclosure packets required upon the resale of a unit under the Virginia Condominium Act or a lot under the Property Owners' Association Act to include a statement of the total amount of unfunded capital reserves based on the current reserve study, including the pro rata share of such unfunded capital reserves per unit or lot.</p>	Surovell	(S) Passed by indefinitely in General Laws and Technology with letter (10-Y 0-N)	1/22/2018
SB706	<p>Common interest communities; reserves for capital components; budget. Requires the budget for a common interest community to include a statement detailing the amount of any shortage or excess of total cash reserves, as indicated by the five-year cash reserves study, and the amount of such shortage or excess per capita for each member of the association. The bill also provides that the failure of any member of the governing body or officer of the association to comply with provisions relating to reserves for capital components shall constitute prima facie evidence of a breach of fiduciary duty on the part of the board member or officer.</p>	Surovell	(S) Passed by indefinitely in General Laws and Technology with letter (10-Y 0-N)	1/22/2018

SB707	<p>Virginia Property Owners' Association Act; home-based businesses. Provides that no property owners' association shall prohibit a lot owner from operating a home-based business within his personal residence if the operation of the home-based business is in compliance with all applicable state laws and local ordinances, unless the home-based business is expressly prohibited by the declaration. Under current law, operation of a home-based business is allowed only to the extent that the declaration is silent on the operation of home-based businesses.</p>	Surovell	(S) Passed by indefinitely in General Laws and Technology (10-Y 5-N)	1/29/2018
SB722	<p>Condominium Act and Property Owners' Association Act; access to association books and records; duty to redact. Provides that books and records kept by or on behalf of a unit owners' association or a property owners' association shall be withheld from inspection and copying in their entirety only to the extent that an exclusion from disclosure enumerated in the Condominium Act or Property Owners' Association Act, as applicable, applies to the entire content of such books and records. The bill provides that, otherwise, only those portions of the books and records containing information subject to an exclusion may be withheld, and all portions of the books and records that are not so excluded shall be disclosed.</p>	Surovell	(S) Passed Senate (38-Y 0-N); (H) Referred to Committee on General Laws; (H) Assigned GL sub: Subcommittee #2	2/13/2018
SB741	<p>Stormwater management; termination of general permit; notice. Requires a Virginia Stormwater Management Program Authority (VSMP authority) to advise the Department of Environmental Quality to terminate coverage under a General Permit for Discharges of Stormwater from Construction Activities within 60 days of receiving a complete notice of termination from the operator of the construction activity. The bill (i) provides that such permit coverage shall be deemed terminated 90 days after the receipt by the VSMP authority of a complete notice of termination and (ii) requires any VSMP authority receiving incomplete notice to inform the operator within a reasonable time and provide a detailed list of the missing elements.</p>	Ruff	(S) Passed Senate; (H) Reported from Agriculture, Chesapeake and Natural Resources (22-Y 0-N)	2/21/2018

<p>SB743</p>	<p>Housing; installation and maintenance of smoke and carbon monoxide alarms. Creates a statewide standard for the installation and maintenance of smoke and carbon monoxide alarms in rental property. The bill requires a landlord to (i) install a smoke alarm without retrofitting the installation site and (ii) certify annually that smoke alarms have been installed and maintained in good working order in a residential dwelling unit pursuant to the Statewide Fire Prevention Code (§ 27-94 et seq.) and the Uniform Statewide Building Code (§ 36-97 et seq.). The landlord is also required to install a carbon monoxide alarm upon request by a tenant; the installation and subsequent maintenance must be in compliance with the Statewide Fire Prevention Code and the Uniform Statewide Building Code. A tenant of a rental dwelling unit with a smoke alarm or both smoke and carbon monoxide alarms shall not tamper or remove such alarms. Under the bill, a reasonable accommodation must be made for persons who are deaf or hearing impaired, upon request. Localities that have enacted a fire and carbon monoxide alarm ordinance must conform such ordinances with these state standards by July 1, 2019. The bill also requires the Department of Housing and Community Development, in consultation with the Department of Fire Programs, to develop a form for landlords for use in certifying inspections that summarizes smoke alarm maintenance requirements for landlords and tenants. The bill is a recommendation of the Virginia Housing Commission.</p>	<p>DeSteph</p>	<p>(S) Incorporated by General Laws and Technology (SB391- Barker) (15-Y 0-N)</p>	<p>1/22/2018</p>
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<p>SB784</p>	<p>Uniform Statewide Building Code; Board of Housing and Community Development; provisions for buildings and structures in rural areas in which commercial enterprises are located. Directs the Board of Housing and Community Development to make amendments to the Uniform Statewide Building Code applicable to buildings and structures in rural areas in which commercial enterprises are located. The bill provides that the amendments shall not apply to any building or structure for which (i) a building permit has been issued or on which construction has commenced or (ii) working drawings have been prepared in the year prior to the effective date of the amendments. The bill also requires the Board to establish guidelines for the adequate training of building officials, enforcement personnel, contractors, and design professionals regarding Building Code provisions applicable to farm buildings and structures.</p>	<p>Obenshain</p>	<p>(S) Passed by indefinitely in General Laws and Technology with letter (15-Y 0-N)</p>	<p>1/29/2018</p>
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SB809	<p>Eminent domain; calculation of lost profits. Amends, in the definitions of "lost profits" and "business profit" for the purposes of eminent domain, the period for which lost profits are calculated to a period not to exceed three years from the later of (i) the date of valuation or (ii) the date the state agency or its contractor prevents the owner from using the land or any of the owner's other property rights are taken. Under current law, lost profits are calculated for a period not to exceed (a) three years from the date of valuation if less than the entire parcel of property is taken or (b) one year from the date of valuation if the entire parcel of property is taken. The bill specifies that the person claiming lost profits is entitled to compensation whether part of the property or the entire parcel of property is taken. The bill further specifies that if the owner is not named in the petition for condemnation, he may intervene in the proceeding and that proceedings to adjudicate lost profits may be bifurcated from the other proceedings to determine just compensation if the lost profits claim period will not expire until one year or later from the date of the filing of the petition for condemnation, but such bifurcation shall not prevent the entry of an order confirming indefeasible title to the land interests acquired by the condemning authority.</p>	Petersen	(S) Passed Senate; (H) Subcommittee #2 recommends reporting (8-Y 0-N)	2/19/2018
SB861	<p>Property Owners' Association Act; member approval required for certain capital expenditures. Requires a property owners' association's board of directors, before making expenditures on capital components that exceed \$1 million, to obtain the approval of a majority of lot owners who are members in good standing of the property owners' association. The requirements do not affect capital components approved by the board of directors and fully funded prior to July 1, 2018.</p>	Reeves	(S) Passed by indefinitely in General Laws and Technology with letter (14-Y 0-N)	1/29/2018

SB909	<p>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.</p>	McClellan	(S) Continued to 2019 in General Laws and Technology (13-Y 0-N)	2/5/2018
SB911	<p>Eminent domain; lost profits. The bill redefines lost profits for the purposes of calculating an award in an eminent domain proceeding as a loss of business profits from a business or farm operation for a period not to exceed three years from the date of valuation, regardless of the amount of property that is taken. Under current law, lost profits are calculated for a period not to exceed three years from the date of valuation if there is a partial taking of property and for a period not to exceed one year from the date of valuation if the entire parcel of property is taken.</p>	Chase	(S) Incorporated by Courts of Justice (SB809-Petersen) (15-Y 0-N)	1/29/2018
SB921	<p>Uniform Statewide Building Code; security of certain records. Provides that the exemption from disclosure of information contained in engineering and construction drawings and plans for any single-family residential dwelling submitted for the purpose of complying with the Uniform Statewide Building Code (§ 36-97 et seq.) or the Statewide Fire Prevention Code (§ 27-94 et seq.) is limited to information that includes a depiction of the interior of a structure. The bill also provides that nothing shall be construed to exempt from disclosure or deny public access to any engineering and construction drawings and plans for any single-family residential dwelling that (i) depict only the exterior of the single-family residential dwelling or (ii) are the subject of an appeal to the Board of Zoning Appeals, the Board of Building Code Appeals, or any other administrative board.</p>	Ebbin	Passed House and Senate	2/22/2018

SB927	<p>Virginia Property Owners' Association Act; applicability. Provides that the Virginia Property Owners' Association Act (§ 55-508 et seq.) shall be applicable to any development established prior to the former Subdivided Land Sales Act (§ 55-336 et seq.) (i) containing 500 or more lots, (ii) having each lot contained in the development being located within the boundaries of a watershed improvement district, and (iii) having each lot subject to substantially similar deed restrictions contained in one or more declarations.</p>	Marsden	(S) Failed to report (defeated) in General Laws and Technology (7-Y 7-N)	2/5/2018
SB944	<p>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 includes within its comprehensive plan a calculation of the capital costs of public facilities necessary to serve residential uses.</p>	Stuart	((S) Continued to 2019 in Local Government (11-Y 0-N)	2/6/2018
SB957	<p>Exemption from certain conditional rezoning proffer requirements. Provides that certain provisions enacted in 2016 related to conditional rezoning proffers shall not apply to any county that operates under the county executive form of government that adjoins a county that operates under the urban county executive form of government (Prince William County) or to any city adjoining a county that operates under the urban county executive form of government (Cities of Alexandria, Fairfax, and Falls Church) if such locality enacts an ordinance to provide that such provisions shall not apply.</p>	Black	(S) Continued to 2019 in Local Government (12-Y 1-N)	2/6/2018

SB990	<p>Stormwater; State Water Control Board; regulations. Authorizes the State Water Control Board (the Board) to adopt stormwater regulations that provide any definitions, equations, or protocols needed to implement the runoff reduction method of demonstrating compliance with water quality technical criteria for certain land-disturbing activities. The bill directs the Board to develop guidance to establish a compliance tool for projects that are subject to the runoff reduction method and the best management practice design specifications needed to implement the water quality technical criteria.</p>	DeSteph	(S) Continued to 2019 in Agriculture, Conservation and Natural Resources (14-Y 0-N)	2/1/2018
SB993	<p>Local planning commissions; proposed plats. Reduces from 60 days to 45 days the time within which a local planning commission shall act on a proposed plat, site plan, or plan of development after it has been officially submitted for approval. The bill prohibits a local planning commission from delaying the official submission of any proposed plat, site plan, or plan of development by requiring presubmission conferences, meetings, or reviews. The bill also reduces from 45 days to 30 days of receipt of the plat the time within which any state agency or public authority making a review of a plat shall complete its review upon first submission or for any proposed plat that has previously been disapproved. The bill eliminates exemptions (i) for deficiencies caused by changes, errors, or omissions occurring in the applicant's plat, site plan, or plan of development filings after the initial submission of such plat, site plan, or plan of development and (ii) from the review and approval of construction plans.</p>	Reeves	(S) Passed Senate; (H) Reported from Counties, Cities and Towns (20-Y 1-N)	2/23/2018

SJ13	<p>Study; joint committee to study the 2016 conditional rezoning proffer reform bill; report. Establishes a joint committee of the Senate Committee on Local Government and the House Committee on Counties, Cities and Towns to study the 2016 conditional rezoning proffer reform bill. In conducting its study, the joint committee is directed to gather information and develop recommendations on the impact that the 2016 proffer reform bill has had on development, including: (i) data regarding the growth, decline, or stagnation in the number, size, scale, or monetary value of development projects in the Commonwealth; (ii) new or revised policies, guidance, and practices adopted by localities regarding negotiations with developers; (iii) litigation, decisions of local boards of appeals, and other justiciable matters that have arisen from, or been directed at the proffer reform bill; and (iv) any other result, consequence, or impact the proffer reform bill has had on development in the Commonwealth. The joint committee shall invite developers, localities, and other stakeholders to participate in the study.</p>	Black	(S) Passed by indefinitely in Rules with letter	2/9/2018
SJ19	<p>Study; continuing the Joint Subcommittee on Coastal Flooding; report. Continues the Joint Subcommittee on Coastal Flooding for two additional years, through the 2019 interim.</p>	Locke	(S) Passed Senate; (H) Referred to Committee on Rules	2/19/2018
SJ53	<p>Study; Virginia Housing Commission; accessory dwelling structures; report. Directs the Virginia Housing Commission to study accessory dwelling structures, defined as additional living quarters on single-family dwelling structures that are independent of the primary dwelling unit. In conducting the study, the Commission is to review (i) the prevalence and necessity for accessory dwelling structures, (ii) relevant provisions of the Uniform Statewide Building Code, and (iii) the feasibility of changing land use and zoning practices in order to facilitate their expanded use. The bill also directs the Commission to make recommendations concerning the use and placement of accessory dwelling structures.</p>	Deeds	(S) Passed Senate; (H) Referred to Committee on Rules	2/19/2018