**LEGISLATIVE REPORT #2**

FROM: Martha Burton January 11, 2021

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**ADMINISTRATION OF GOVERNMENT**

**HB 1818** - Del. Steve Heretick, Portsmouth – **RE: Workers’ Compensation** – to amend Section 65.2-402 B. to add **salaried & volunteer EMS personnel** with at least 5 years of service to the list of whom the occupational disease presumption for death caused by hypertension or heart disease applies.

REFERRED TO HOUSE LABOR & COMMERCE COMMITTEE

**HB 1848** - Del. Mark Sickles, Fairfax County – **RE: The Virginia Human Rights Act** – to add prohibition of discrimination on the basis of **disability**; to require employers to make reasonable accommodation to the known physical and mental impairments.

REFERRED TO HOUSE GENERAL LAWS COMMITTEE

**HB 1861** - Del. Nancy Guy, Virginia Beach – to allow localities to, by ordinance, **prohibit** the use of **Compression Release Engine Brakes** (Jake brakes or Jacobs brakes) adjacent to residential districts.

REFERRED TO HOUSE \_\_\_\_\_\_

**HB 1874** - Del Carrie Coyner, Chesterfield County – **RE: Minimum Standards for Local Correctional Facilities** – to amend Section 53.1-68 C.1. to provide that if a behavioral health screening indicates the person may have a mental illness, an assessment of the need shall be conducted within 72 hours of the screening.

REFERRED TO HOUSE \_\_\_\_\_\_

**HB 1898** - Del. Danica Roem, Manassas – **RE: Boards of Zoning Appeals** – to amend Section 15.2-2308A. to allow an elected official of a town to serve on that county’s BZA.

REFERRED TO HOUSE COUNTIES, CITIES & TOWNS COMMITTEE

**SB 1144** - Sen. Richard Stuart, Northern Neck – **RE: Aircraft Registration** – to change the requirement from the present “for more than 90 days” to “for more than 90 consecutive days”.

REFERRED TO SENATE TRANSPORTATION COMMITTEE

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**SB 1148** - Sen. Jennifer Kiggans, Virginia Beach – **RE: Primary Election in June, 2021** – to set the date for **the 3rd Tuesday in June**, not the 2nd.

REFERRED TO SENATE COMMITTEE ON PRIVILEGES & ELECTIONS

**SB 1157** - Sen. Lionell Spruill, Chesapeake – **RE: Municipal Elections** – to shift all city, town and school board elections to **November**, effective 1-1-2022.

REFERRED TO SENATE COMMITTEE ON PRIVILEGES & ELECTIONS

**SB 1171** - Sen. Tommy Norment, James City County – **RE: IDAs & EDAs** – to amend Section 2.2-3115 to require that the executive directors and members in **localities with populations in excess of 25,000** must file Statements of Economic Interest. Current law has no population threshold.

REFERRED TO SENATE GENERAL LAWS COMMITTEE

**ECONOMIC DEVELOPMENT**

**HB 1881** - Del. Steve Heretick, Portsmouth – **RE: Enterprise Zones** – to amend Section 59.1-547 to provide that “minimum wage” would mean the federal or the Virginia, whichever is higher. It would also reduce the percentage of the minimum wage that grant eligible jobs have to meet. Effective date- 1-1-2022.

REFERRED TO HOUSE \_\_\_\_\_\_\_\_

**HJR 529** - Del. Shelly Simonds, Newport News – to study the need for **Apprenticeship Training Programs** in Virginia.

REFERRED TO HOUSE \_\_\_\_\_\_\_\_

**SB 1173** - Sen. Norment – **RE: Tobacco Region Revitalization Commission** – to require that legislators on the Commission represent districts with at least 25% of their populations residing within the Tobacco Region.

REFERRED TO SENATE RULES COMMITTEE

**EDUCATION**

**HB 1823** - Del. Alex Askew, Virginia Beach – **RE: School Buildings** – to require that all built before 2015 have carbon monoxide detectors

REFERRED TO HOUSE EDUCATION COMMITTEE

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**HB 1826** - Del. Terry Austin, Buchanan – **RE: State Board of Education** – to require that at least one person appointed to the Board have experience or expertise in local government leadership or policymaking.

REFERRED TO HOUSE EDUCATION COMMITTEE

**HB 1827** - Del. Austin – **RE: State Board of Education** – to require that at lease 5 members each reside in a different superintendent’s region to ensure better geographic representation.

REFERRED TO HOUSE EDUCATION COMMITTEE

**LAND USE**

**HB 1844** - Del. Mike Mullin, Newport News – **RE: Zoning** – to amend Section 15.2-2286 A.3 to give local governing bodies the same authority as boards of zoning appeals re: imposing certain conditions on permits for special exceptions, including limiting the duration of the permit.

REFERRED TO HOUSE COUNITIES, CITIES & TOWNS COMMITTEE

**MISCELLANEOUS**

**HB 1815** - Del. Steve Heretick, Portsmouth – **Legalization of Marijuana** – There is a provision that the Board of Agriculture & Consumer Services shall promptly notify the local governing body of each license application through the locality’s attorney or chief law-enforcement officer. Local governing bodies would have to submit objections within 30 days of filing the application.

Among the reasons that the Board MAY refuse to grant a license: **1)** does not conform to locality’s requirements with respect to sanitation, health, construction or equipment; **2)** so located that it would violate local ordinances relative to peace and good order; **3)** so located with respect to churches, hospitals, schools, colleges, parks/playgrounds, government facilities that the operation would adversely impact or interfere with normal orderly conduct of these facilities; **4)** so located with respect to any residence or residential area that the operation will adversely impact property values or interfere with quietude and tranquility.

There is a law, ordinance or regulation of a political subdivision that warrants refusal to grant license.

Item (1) above is also a ground for which the Board may suspend or revoke a license.

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Included among grounds for which the Board SHALL revoke a license is defrauding a local government, filing false information to a locality.

Article 3 in the bill provides for local regulation i.e. local ordinances, business licenses, zoning, land use, business licenses or to completely prohibit the establishment or operation of one or more types of these businesses.

A locality may provide for local licensing requirements and a local licensing fee schedule.

There would be a State Retail Marijuana Tax and provisions are included to allow counties and cities to impose a tax on retail marijuana and products. The tax could only be levied in a locality if approved in a referendum.

Tax money shall be collected by the State Department of Taxation and shall be distributed in the same manner as the Local Sales Tax under Section 58.1-605.

The regulatory scheme for the legalization of cultivation, manufacture, sale, possession and testing would fall under the Board of Agriculture & Consumer Services.

REFERRED TO HOUSE \_\_\_\_\_\_\_\_\_\_

**Note**: This bill has 103 pages. I just tried to identify provisions relative to consideration given to local governments.

**HB 1880** - Del. Paul Krizek, Alexandria – **RE: Gambling-Skills Games** – to extend the time that these machines can continue through June 30, 2022. It seeks to reduce the number of machines in truck stops and ABC licensees to 90% of the number they had as of 7-1-2020. It would also provide localities’ take would be 33%.

REFERRED TO HOUSE GENERAL LAWS COMMITTEE

**SJR 282** - Sen. Frank Ruff, Mecklenburg County – to **Commend the Crater PDC** on its 50 years.

**PUBLIC SAFETY**

**HB 1875** - Del. Coyner – **RE: Minimum Qualifications of Law-Enforcement Officers** – to amend Section 15.2-1705 to qualify that the provisions re: misdemeanors involving moral turpitude apply only if the conviction or plea occurred within the last 3 years.

REFERRED TO HOUSE \_\_\_\_\_\_\_\_

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**HJR 530** - Del. Sally Hudson, Charlottesville – to direct the Virginia State Crime Commission to study alternative approaches to **Enforcement for Drug Possession**.

REFERRED TO HOUSE \_\_\_\_\_

**TRANSPORTATION**

**HB 1813** - Del. Paul Krizek, Alexandria – **RE: Highway Construction Projects** – to amend Section 33.2-234 to raise the cost limit on projects that can be built by state or local employees from $600,000 to $800,000.

REFERRED TO HOUSE TRANSPORTATION COMMITTEE

**HB 1841** - Del. Mark Keam, Fairfax County – **RE: Crosswalks** – to require that all initial crosswalk installations and crosswalks receiving maintenance shall be painted in a zebra pattern and have warning surface tiles on the sidewalks at both ends that are federal yellow if on a dark sidewalk and red if on a light-colored sidewalk.

REFERRED TO HOUSE TRANSPORTATION COMMITTEE

**HB 1903** - Del. Betsy Carr, Richmond – **RE: Speed Limits** – to amend Section 46.2-1300 to allow local governing bodies of counties, cities and towns to reduce the speed limit to less than 25 mph, but not less than 15 mph in business districts or residence districts.

REFERRED TO HOUSE \_\_\_\_\_

**HB 1910** - Del. Joshua Cole, Fredericksburg – **RE: Regional Transportation Authorities** – to add a new chapter to Title 33.2 to authorize any two or more adjacent counties or cities to create a regional transportation authority by ordinances.

REFERRED TO HOUSE TRANSPORTATION COMMITTEE