

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments
January 22, 2019

Bill	Summary	Patron	Status	Committee Info/Resources
Broadband/Telecommunications				
SB1618	Broadband Advisory Council; appointments; expiration. Increase from 14 to 16 the total membership of the Broadband Advisory Council by adding two additional nonlegislative members, one to represent the Friends of Municipal Broadband and one to represent the Virginia, Maryland and Delaware Association of Electric Cooperatives. The bill removes the Secretary of Technology from the Council and adds the Secretary of Administration. The bill also extends the expiration of the Council from July 1, 2020, to July 1, 2021.	Edwards	1/9/19: Senate - Referred to Rules	
106 #1h	Virginia Telecommunications Initiative. This language amendment removes the exclusivity for private sector broadband providers from the program.	Bloxom		
106 #1s	Broadband Authority VATI Eligibility. This amendment would enable a broadband authority, or other public body, to be eligible to receive Virginia Telecommunication Initiative (VATI) funds and also be the broadband service provider.	Lewis		
Economic Development				
HB692	Virginia Regional Industrial Facilities Act; revenue sharing; composite index. Requires the Department of Taxation's calculation of true values as applied to the Commonwealth's composite index of local ability-to-pay to take into account an arrangement by localities entered into pursuant to the Virginia Regional Industrial Facilities Act whereby a portion of tax revenue is initially paid to one locality and redistributed to another locality. The bill requires such calculation to properly apportion the percentage of tax revenue ultimately received by each locality. The bill has a delayed effective date of July 1, 2020.	Marshall	2/27/18: Senate - Continued in 2019 in Finance (11-Y 1-N)	
HB960	Virginia Economic Development Partnership. Requires the Virginia Economic Development Partnership Authority (Authority) to include in its marketing plan information as to participation in trade shows and international marketing efforts, and development of performance measures that compare Virginia's marketing efforts with those of other states. The bill also requires that the Authority's annual marketing report include information on improvements upon prior years' results in meeting the goals and objectives as stated in the marketing plan and adds the Governor and the General Assembly to the list of entities to which the Authority must present an annual marketing report.	Yancey	11/30/18: House - Left in Appropriations	
HB1838	Virginia Regional Industrial Facilities Act; revenue sharing; composite index. Requires the Department of Taxation's calculation of true values as applied to the Commonwealth's composite index of local ability-to-pay to take into account an arrangement by localities entered into pursuant to the Virginia Regional Industrial Facilities Act whereby a portion of tax revenue is initially paid to one locality and redistributed to another locality. The bill requires such calculation to properly apportion the percentage of tax revenue ultimately received by each locality. The bill has a delayed effective date of July 1, 2021.	Marshall	1/14/19: House - Assigned CC & T Sub #2	

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments
January 22, 2019

HB2237	Economic development incentives; disclosure to public. Provides that no project that includes an offer of economic development incentives shall be approved by the Governor unless the essential terms of the offer are disclosed to the public no less than 21 days prior to approval. The bill defines essential terms as the aggregate amount of incentives to be provided by the Commonwealth, how the incentives are to be allocated, the projected return on investment for the Commonwealth, the projected time frame for repayment of the incentives, the Division of Incentives' projections for the number of new jobs that will be created and the average wage of those new jobs, and any proposed agreement between the Commonwealth and the recipient of the incentives regarding the Virginia Freedom of Information Act.	Webert	1/16/19: House - Subcommittee recommends laying on the table (8-Y 0-N)	
Education				
HJ19	Study; joint committee; the future of public elementary and secondary education in the Commonwealth; report. Continues for one additional year the Joint Committee of the House Committee on Education and the Senate Committee on Education and Health to Study the Future of Public Elementary and Secondary Education in the Commonwealth, consisting of seven members of the House Committee on Education and six members of the Senate.	Bell	11/30/18: Senate - Left in Rules	
135 #4h	Norfolk Technical Center. This amendment provides \$750,000 the second year from the general fund to expand career and technical education programs for high-demand, high-skill occupations within the Hampton Roads region.	James		
135 #2s	Hampton Roads CTE. This amendment provides additional funding to expand career and technical education programs for high-demand, high-skill occupations within the Hampton Roads Region.	Wagner		
Emergency Management/Inclusive Planning				

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments
January 22, 2019

HB1999	Department of Emergency Management; responsibilities of political subdivisions; provision of emergency preparedness information to individuals with limited English proficiency, disabilities, or other special needs. Directs the Department of Emergency Management (the Department) to ensure that training programs and programs of public information and education regarding emergency services and disaster preparedness activities established and operated by state agencies be designed to include and reach individuals with limited English proficiency, disabilities, or other special needs. The bill also directs the Department to develop an emergency response plan to (i) address the needs of individuals with limited English proficiency, disabilities, or other special needs in the event of a disaster, including the provisions of competent interpretation services and translated documents, and (ii) assist and coordinate with local agencies in developing a similar emergency response plan for individuals with limited English proficiency, disabilities, or other special needs. The bill requires that every local and interjurisdictional emergency management agency include in its emergency operations plan provisions to ensure that adequate and timely emergency relief assistance, including competent interpretation services and translated documents, is provided to individuals with limited English proficiency, disabilities, or other special needs. The bill requires that the governing body of each locality that is required to establish an alert and warning plan for the dissemination of adequate and timely warning to the public in the event of an emergency or threatened disaster ensure that such alert and warning plan provides adequate and timely warning to individuals with limited English proficiency, disabilities, or other special needs.	Price	1/15/19: House - Assigned MPPS Sub #2	
HB2312	Emergency Services and Disaster Law; definition of disaster; incidents involving cyber systems. Adds incidents involving cyber systems to the definition of disaster, as used in the Emergency Services and Disaster Law.	Hayes	1/15/19: House - Assigned MPPS Sub #2	
HB2326	Statewide prioritization process; primary evacuation routes. Adds maintenance of primary evacuation routes to the factors that must be considered by the Commonwealth Transportation Board in the statewide prioritization process, commonly known as SMART SCALE.	Brewer	1/17/19: House - Subcommittee recommends reporting with amendment (6- Y 2-N)	
Energy/Environment				
HB2159	Plastic Pollution Prevention Advisory Council. Establishes in the executive branch of state government the Plastic Pollution Prevention Advisory Council to study and make recommendations regarding plastic pollution problems in the Commonwealth, with the mission of eliminating plastic waste. The bill has a sunset date of June 30, 2022.	Plum	1/17/19: House - Assigned Rules Sub #1	

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments
January 22, 2019

HB2735	<p>Virginia Coastal Protection Act. Recasts the Virginia Shoreline Resiliency Fund as the Virginia Coastal Protection Fund. Moneys generated by the sale of carbon dioxide emissions allowances through any auction program administered by the Commonwealth are directed to the Fund, which is to be used to implement hazard mitigation projects in areas that are subject to recurrent flooding. The measure directs the State Air Pollution Control Board to adopt regulations to limit and reduce the total carbon dioxide emissions released by electric generation facilities. The regulations are required to comply with the Regional Greenhouse Gas Initiative program. The measure authorizes the Director of the Department of Environmental Quality to establish, implement, and manage an auction program to sell allowances into a market-based trading program. The measure requires revenues from the sale of carbon allowances, to the extent permitted by Article X, Section 7 of the Constitution of Virginia, to be distributed without further appropriation to the Fund, to the VirginiaSAVES program, for certain programs in Southwest Virginia for the purpose of revitalizing communities affected by the decline of fossil fuel production, and for administrative expenses. The measure also (i) states that the development of new utility-owned and utility-operated generating facilities utilizing energy derived from sunlight, or from onshore or offshore wind, to achieve the reduction in carbon dioxide emissions prescribed under the authority of this measure is in the public interest; (ii) directs that Dominion Power and Appalachian Electric Power shall achieve a minimum of 50 percent of the reduction in carbon dioxide emissions prescribed under the authority of this measure through the development of such generating facilities; and (iii) requires any retail customer that purchases electric energy from a supplier other than the customer's incumbent utility to pay a non-bypassable surcharge equal to the price established under the allowance auction to the incumbent utility for any purchase of electric energy that is not from a facility utilizing renewable energy or nuclear power. An enactment clause exempts from the Administrative Process Act actions taken by the Department of Environmental Quality to incorporate provisions of this measure into State Air Pollution Control Board regulations without further action of the Board. The enactment also provides that such incorporation will become effective upon their approval by the Director of the Department and the filing of the amended regulations with the Registrar of Regulations.</p>	<p>Toscano</p>	<p>1/16/19: House - Referred to Commerce and Labor</p>	
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2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments
January 22, 2019

HJ620	Study; reduction of the minimum recycling rate for municipal solid waste generated within a solid waste planning unit; report. Requests the Secretary of Commerce and Trade and the Secretary of Natural Resources (the Secretaries) to jointly study a reduction of the minimum recycling rate for municipal solid waste generated within a solid waste planning unit. In conducting its study, the Secretaries are to (i) investigate the impact that China's reduced recyclable material contamination acceptance rate has had and is currently having on solid waste planning units in the Commonwealth; (ii) analyze the effect on the Commonwealth of reducing the minimum required recycling rate for solid waste planning units, including impacts to landfills, localities, ecosystems, and the economy; and (iii) propose one or more solutions to assist solid waste planning units and the Commonwealth as a whole, including recommending a specific reduction of the minimum recycling rate for municipal solid waste generated within a solid waste planning unit.	James	1/17/19: House - Assigned Rules Sub #1	
SB193	Disposable plastic shopping bags; local option. Allows any locality by ordinance to prohibit the distribution, sale, or offer for sale of disposable plastic shopping bags to consumers. The bill exempts from any such prohibition reusable bags of a certain thickness; bags that are used to carry certain products, such as ice cream or newspapers; and garbage bags that are sold in multiples.	Locke	11/30/18: Senate - Left in Local Government	
SB1116	Plastic bag tax in the Chesapeake Bay Watershed. Imposes a five-cent per bag tax on plastic bags provided to customers by certain retailers in localities located wholly within the Chesapeake Bay Watershed and directs revenues to be used to support the Chesapeake Bay Watershed Implementation Plan. The bill also allows every retailer that collects the tax to retain one cent of the five-cent tax.	Petersen	1/16/19: Senate - Failed to report (defeated) in Finance (5-Y 11-N)	
SB1155	Screening of trash receptacles; local option. Authorizes a locality, by ordinance, to require that trash, garbage, refuse, litter, and other debris at any business or multi-family residential property that has a central collection receptacle be shielded or screened from view of a person standing at ground level from outside of the property on which the central collection receptacle is located.	Black	1/2/19: Senate - Referred to Committee on Local Government	
SB1573	Offshore oil and gas drilling; prohibition. Prohibits the Marine Resources Commission or the Department of Mines, Minerals and Energy from granting any lease or permit for oil or gas exploration or drilling, or the construction of oil or gas infrastructure, in the beds of any waters of the Commonwealth. Current law authorizes the granting of oil and gas leases on such state-owned bottomlands, which generally are those subaqueous lands lying within three miles of the shore. The bill also repeals a section of the Code of Virginia stating the Commonwealth's support for federal efforts to explore for natural gas more than 50 miles off shore.	DeSteph	1/9/19: Senate - Referred to ACNR	

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments
January 22, 2019

SJ265	Study; reduction of the minimum recycling rate for municipal solid waste generated within a solid waste planning unit; report. Requests the Secretary of Commerce and Trade and the Secretary of Natural Resources (the Secretaries) to jointly study a reduction of the minimum recycling rate for municipal solid waste generated within a solid waste planning unit. In conducting its study, the Secretaries are to (i) investigate the impact that China's reduced recyclable material contamination acceptance rate has had and is currently having on solid waste planning units in the Commonwealth; (ii) analyze the effect on the Commonwealth of reducing the minimum required recycling rate for solid waste planning units, including impacts to landfills, localities, ecosystems, and the economy; and (iii) propose one or more solutions to assist solid waste planning units and the Commonwealth as a whole, including recommending a specific reduction of the minimum recycling rate for municipal solid waste generated within a solid waste planning unit.	Lucas	12/10/18: Senate - Referred to Rules	
117 #1h	DMME. This amendment increases funding of \$100,000 from the general fund and one FTE each year of the biennium for the Department of Mines, Minerals and Energy to monitor and report on greenhouse gas emissions in the Commonwealth of Virginia.	Rasoul		
Housing				
HB2007	Eviction; writs of possession and eviction. Changes the terminology from writ of possession to writ of eviction for the writ executed by a sheriff to recover real property pursuant to an order of possession. The bill specifies that an order of possession remains effective for 180 days after being granted by the court and clarifies that any writ of eviction not executed within 30 days of its issuance shall be vacated as a matter of law. This bill is a recommendation of the Virginia Housing Commission.	Aird	1/21/19: House - Read first time	
HB2655	Eviction Diversion Pilot Program. Establishes the Eviction Diversion Pilot Program (the Program), consisting of specialized dockets within the existing structure of the general district courts for the cities of Danville, Hampton, Petersburg, and Richmond. The Program is initially established as a pilot program that has a delayed effective date of July 1, 2020, and that expires on July 1, 2023. The purpose of the Program is to encourage the development of consistent methods for resolving unlawful detainer actions and reduce the number of evictions of low-income persons.	Collins	1/11/19: House - Referred to General Laws	
SB1448	Eviction; writs of possession and eviction. Changes the terminology from writ of possession to writ of eviction for the writ executed by a sheriff to recover real property pursuant to an order of possession. The bill specifies that an order of possession remains effective for 180 days after being granted by the court and clarifies that any writ of eviction not executed within 30 days of its issuance shall be vacated as a matter of law. This bill is a recommendation of the Virginia Housing Commission.	Locke	1/21/19: Senate -- Reported from General Laws and Technology (14-Y 0-N)	

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments

January 22, 2019

SB1450	Eviction Diversion Pilot Program. Establishes the Eviction Diversion Pilot Program (the Program), consisting of specialized dockets within the existing structure of the general district courts for the cities of Danville, Hampton, Petersburg, and Richmond. The Program is initially established as a pilot program that has a delayed effective date of July 1, 2020, and that expires on July 1, 2023. The purpose of the Program is to encourage the development of consistent methods for resolving unlawful detainer actions and reduce the number of evictions of low-income persons. Parties to an unlawful detainer action in participating jurisdictions will be directed to participate in the Pilot Program upon certain findings by the court. The Executive Secretary of the Virginia Supreme Court shall submit data generated from the Program to the Virginia Housing Commission (the Commission) for the evaluation of its effectiveness and potential benefits and costs. The bill tasks the	Locke	1/8/19: Senate -- Referred to General Laws and Technology	
41 #2h	Eviction Diversion Pilot Program. This amendment provides \$355,300 the second year from the general fund and 6.2 positions for eviction diversion pilot programs in Danville, Richmond, Hampton, and Petersburg	Collins		
41# 2s	Eviction Diversion Pilot Program. This amendment provides \$355,300 and 6.2 FTEs the second year from the general fund for an Eviction Diversion Pilot Program in the general district courts for the cities of Danville, Hampton, Petersburg, and Richmond, pursuant to, and contingent upon, passage of Senate Bill 1450 of the 2019 General Assembly.	Locke		
105 #1h	Virginia Housing Trust Fund. This amendment increases funds \$10,000,000 from the general fund in each year of the biennium for the Housing Trust Fund.	Lopez		
105 #2h	Housing Eviction Diversion Program. This amendment increases funding \$4,000,000 from the general fund each year to establish an eviction diversion program in the Department of Housing and Community Development.	McQuinn		
105 #3h	Virginia Housing Trust Fund. This amendment increases funding \$5,900,000 from the general fund each year of the biennium for the Virginia Housing Trust Fund by taking 20% of revenues in excess of \$325,000,000 from the general fund derived from the state recordation tax.	Lopez		
Military				
464 #1h	Virginia Community Military Partnership Fund. This amendment provides \$2.5 million the second year from the general fund for the Virginia Community Military Partnership Fund.	Mullin		
464 #2s	Community Military Partnership Fund. This amendment provides \$2.5 million GF in the second year to establish the Virginia Community Military Partnership Fund to provide grants for local projects that enhance the value or viability of military installations.	Wagner		
464 #3s	Community Military Partnership Fund. This amendment provides \$2.5 million GF in the second year to establish the Virginia Community Military Partnership Fund to provide grants for local projects that enhance the value or viability of military installations.	Cosgrove		

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments
January 22, 2019

464 #2h	Fort Eustis Access Gate. This amendment provides \$950,000 the second year from the general fund for the City of Newport News to acquire 30 acres of property needed for a new access gate at Fort Eustis. The federal budget includes \$15 million in MILCON for the construction. The \$950,000 will be match by the City on a 1:1 ratio. Acquiring parcels in 2019 will allow time for required environmental assessment and project design ahead of the 2023 Military Construction project allocation.	James		
464 #4s	Fort Eustis Gate Force Protection Improvements. This amendment provides \$950,000 GF for the City of Newport News to acquire approximately 30 acres of property needed for construction of a new access gate at Fort Eustis. The current gate does not meet Army Force Protection standards.	Mason		
464 #3h	Camp Pendleton. This amendment provides \$5.0 million from nongeneral funds, to be provided by the City of Virginia Beach, for projects to harden access to Camp Pendleton. In exchange, the City will receive a 50 year lease, with an additional 50 years made available on a parcel of Camp Pendleton property, to be used for City purposes.	Knight		
464 #1s	Camp Pendleton Gate Hardening. This amendment appropriates \$2.5 million NGF to be provided from City of Virginia Beach to harden access to Camp Pendleton in exchange for a 50 year lease of property owned by the Commonwealth and currently used for overflow parking at the Virginia Aquarium.	Wagner		
Other				
HB2330	Environmental Justice Advisory Council established; consideration for environmental justice. Establishes the Environmental Justice Advisory Council (the Council), consisting of 19 members, to advise the Governor on environmental justice in the Commonwealth through equitable development, implementation, evaluation, and enforcement of environmental laws, regulations, policies, and practices. The bill requires all state agencies to examine any new regulation or policy involving state action or funds in relation to its impact on environmental justice prior to adopting such regulation or policy and requires the Council to coordinate and lead efforts to achieve the Commonwealth's environmental justice goals.	Keam	1/17/19: House - Assigned Rules Sub #1	
HB2696	Environmental Justice Advisory Council established. Establishes the Environmental Justice Advisory Council, consisting of 13 members, to advise the Governor on environmental justice in the Commonwealth through equitable development, implementation, evaluation, and enforcement of environmental laws, regulations, policies, and practices.	Herring	1/17/19: House - Assigned Rules Sub #1	

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments

January 22, 2019

SB208	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.	Stuart	1/17/19: Senate - Recommitted to Local Government	
SB944	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.	Stuart	1/17/19: Senate - Recommitted to Local Government	
Retirement				
Taxes				
HB966	Taxation in the Commonwealth; income tax, sales tax, and credit for certain local taxes. Provides, for taxable years 2018 through 2022, a refundable credit against individual and corporate income taxes for a business's aggregate tax liability under the machinery and tools tax, the merchants' capital tax, and the business, professional, and occupational license (BPOL) tax. The bill imposes a sales tax on all services except business-to-business, educational, health care, and real estate services. The bill requires the Department of Taxation (the Department) to assert the Commonwealth's jurisdictional nexus to tax services to the maximum extent allowed by Virginia and federal law and requires any person that furnishes services valued at \$5,000 or more during a calendar year to register with the Department as a dealer. The bill provides that food purchased for human consumption shall be exempt from state sales tax. Under current law, food purchased for human consumption is taxed at a reduced state rate of 1.5 percent and a local rate of 1 percent. The bill eliminates the lowest two income tax brackets by providing that, starting with taxable year 2019, there shall be no income tax imposed on income of \$5,000 or less.	Davis	11/30/18: House - Left in Finance	
HB1618	Individual income tax; itemization; emergency. Allows an individual taxpayer to itemize for state income tax purposes regardless of whether he itemizes on his federal return for taxable years 2018 through 2025. Current law requires a taxpayer to claim the standard deduction on his state return if he claims the standard deduction on his federal return. The bill contains an emergency clause.	Bell	1/14/19: House - Referred to Rules	

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments
January 22, 2019

HB1634	Additional sales and use tax for counties and cities; county appropriations to incorporated towns for educational purposes. Authorizes counties and cities to impose an additional local sales and use tax at a rate as determined by the governing body, if initiated by a resolution of the local governing body and approved by the voters at a referendum. Revenue from the tax shall be used solely for capital projects for the construction or improvement of schools.	Edmunds	1/18/19: House - Assigned Finance Sub #2	
HB1722	Remote sales and use tax collection; sufficient activity by dealers and marketplace facilitators as to require registration for sales and use tax collection. Directs the Department of Taxation (the Department) to require a remote seller to collect sales and use tax if the seller has more than \$100,000 in annual gross revenue from sales in Virginia or at least 200 sales transactions in Virginia and requires a marketplace facilitator, which enables marketplace sellers to sell in Virginia through its marketplace, to collect sales and use tax if its annual gross revenue from facilitated sales in Virginia exceeds \$100,000 or it facilitates at least 200 sales transactions in Virginia. The bill provides that the obligation of remote sellers and marketplace facilitators to collect sales and use tax shall not apply to transactions occurring before July 1, 2019.	Bloxom	12/18/18: House - Referred to Committee on Rules	
HB1851	Virginia income tax; emergency. Advances conformity of the Commonwealth's tax code with the federal tax code to December 31, 2018, starting with taxable year 2018. The bill increases, starting with taxable year 2019, the amount of the standard deduction (i) from \$3,000 to \$6,000 for an individual or for married persons filing separately and (ii) from \$6,000 to \$12,000 for married persons filing jointly. Starting in 2020, the bill adjusts Virginia's standard deduction by the percentage increase in the Chained Consumer Price Index for All Urban Consumers (C-CPI-U) for the previous taxable year. In taxable year 2026, the standard deduction would return to \$3,000 for an individual or a married person filing jointly and \$6,000 for married persons filing jointly, coincident with the expiration of the individual income tax provisions of the federal Tax Cuts and Jobs Act (TCJA). Beginning in taxable year 2020, the individual tax brackets and the personal deductions will also be adjusted by the percentage increase of the C-CPI-U for the previous taxable year.	Peace	1/2/19: House - Referred to Rules	
HB2090	Remote sales and use tax collection; sufficient activity by dealers and marketplace facilitators as to require registration for sales and use tax collection. Directs the Department of Taxation (the Department) to require a remote seller to collect sales and use tax if the seller has more than \$100,000 in annual gross revenue from sales in Virginia or at least 200 sales transactions in Virginia and requires a marketplace facilitator, which enables marketplace sellers to sell in Virginia through its marketplace, to collect sales and use tax if its annual gross revenue from facilitated sales in Virginia exceeds \$100,000 or it facilitates at least 200 sales transactions in Virginia. The bill provides that the obligation of remote sellers and marketplace facilitators to collect sales and use tax shall not apply to transactions occurring before July 1, 2019.	Watts	1/7/19: House - Referred to Rules	

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments
January 22, 2019

HB2673	Income tax; conformity; increase in standard deduction; refundable income tax credit for low-income taxpayers. Advances the Commonwealth's conformity with federal tax law to December 31, 2018, starting with taxable year 2019. The bill allows an individual taxpayer to itemize for state income tax purposes regardless of whether he itemizes on his federal return for taxable years 2019 through 2025. Current law requires a taxpayer to claim the standard deduction on his state return if he claims the standard deduction on his federal return.	Adams	1/13/19: House - Referred to Rules	
HB2704	Providing income tax relief to Virginia taxpayers. Provides that, if the General Assembly does not enact legislation during the 2019 Session giving at least \$100 million in Virginia income tax relief to Virginia taxpayers, any additional revenues generated by the federal Tax Cuts and Jobs Act shall be transferred to the Tax Policy Fund, created by the act. The bill requires the Governor to submit, with his budget proposal for the 2020-2022 biennium, a plan to provide tax reform to Virginia taxpayers with revenues in the Tax Policy Fund. Such tax reform shall distribute such additional revenues to Virginia taxpayers proportionately on the basis of their Virginia income tax liability for taxable year 2018.	Bloxom	1/15/19: House - Referred to Rules	
HB2801	Remote sales and use tax collection and sufficient activity by remote sellers and marketplace facilitators as to require registration for sales and use tax collection. Directs the Department of Taxation (the Department) to require a remote seller to collect sales and use tax if the seller has more than \$250,000 in annual gross revenue from sales in Virginia and requires a marketplace facilitator, which enables marketplace sellers to sell in Virginia through its marketplace, to collect sales and use tax on any sales facilitated in the Commonwealth. The bill provides that the obligation of remote sellers and marketplace facilitators to collect sales and use tax shall not apply to transactions occurring before July 1, 2019.	Brewer	1/21/19: House - Referred to Rules	
SB299	Department of Taxation; reports on sales and use tax exemptions. Requires the Department of Taxation (the Department) to report annually to the Chairmen of the House Committee on Appropriations and the House and Senate Committees on Finance regarding the fiscal, economic, and policy impact of each sales and use tax exemption. The review of each exemption shall be performed on a rotation basis. No exemption shall be reviewed more than once every five years, but the exemption for computer purchases for use in data centers shall be reviewed every three years. Taxpayers that purchase tax-exempt computer equipment or enabling software for use in a data center shall submit to the Department every three years a list of its exempt purchases, including purchase prices, made during the previous three taxable years.	Norment	11/30/18: Senate - Left in Finance	

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments
January 22, 2019

SB1083	Remote sales and use tax collection; sufficient activity by dealers and marketplace facilitators as to require registration for sales and use tax collection. Directs the Department of Taxation (the Department) to require a remote seller to collect sales and use tax if the seller has more than \$100,000 in annual gross revenue from sales in Virginia or at least 200 sales transactions in Virginia and requires a marketplace facilitator, which enables marketplace sellers to sell in Virginia through its marketplace, to collect sales and use tax if its annual gross revenue from facilitated sales in Virginia exceeds \$100,000 or it facilitates at least 200 sales transactions in Virginia. The bill provides that the obligation of remote sellers and marketplace facilitators to collect sales and use tax shall not apply to transactions occurring before July 1, 2019.	Ruff	12/15/18: Senate - Referred to Committee on Finance	
SB1120	Motor fuels tax; rate of taxation. Repeals the enactment clause from Chapter 766 of the Acts of Assembly of 2013 (the transportation funding bill) that would automatically lower the rate of taxation on motor fuels if Congress were to enact legislation granting states the authority to compel remote sellers to collect and remit sales and use tax.	Petersen	12/26/18: Senate - Referred to Committee on Finance	
SB1225	Virginia income tax; emergency. Advances conformity of the Commonwealth's tax code with the federal tax code to December 31, 2018, starting with taxable year 2018.	Chase	1/4/19: Senate - Referred to Finance	
SB1267	Remote sales and use tax collection; sufficient activity by dealers and marketplace facilitators as to require registration for sales and use tax collection; transportation funding. Directs the Department of Taxation (the Department) to require a remote seller to collect sales and use tax if the seller has more than \$100,000 in annual gross revenue from sales in Virginia or at least 200 sales transactions in Virginia and requires a marketplace facilitator, which enables marketplace sellers to sell in Virginia through its marketplace, to collect sales and use tax if its annual gross revenue from facilitated sales in Virginia exceeds \$100,000 or it facilitates at least 200 sales transactions in Virginia. The bill provides that the obligation of remote sellers and marketplace facilitators to collect sales and use tax shall not apply to transactions occurring before July 1, 2019.	Stuart	1/7/19: Senate - Referred to Finance	
SB1294	Remote sales and use tax collection; sufficient activity by dealers and marketplace facilitators as to require registration for sales and use tax collection. Directs the Department of Taxation (the Department) to require a remote seller to collect sales and use tax if the seller has more than \$100,000 in annual gross revenue from sales in Virginia or at least 200 sales transactions in Virginia and requires a marketplace facilitator, which enables marketplace sellers to sell in Virginia through its marketplace, to collect sales and use tax if its annual gross revenue from facilitated sales in Virginia exceeds \$100,000 or it facilitates at least 200 sales transactions in Virginia. The bill provides that the obligation of remote sellers and marketplace facilitators to collect sales and use tax shall not apply to transactions occurring before July 1, 2019.	Howell	1/7/19: Senate - Referred to Finance	

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments
January 22, 2019

SB1390	Remote sales and use tax collection; disposition of revenues. Repeals contingent provisions of bills adopted in prior sessions of the General Assembly related to the disposition of certain sales and use tax revenues that would take effect if the United States Congress enacted legislation related to remote sales and use tax collection. By repealing these provisions, any revenues generated from the remote collection of sales and use tax in the Commonwealth would be allocated in accordance with the existing sales and use tax allocation formula, and the gas tax will remain at its current rate.	Wagner	1/8/19: Senate - Referred to Finance	
SB1500	Remote sales and use tax collection; sufficient activity by dealers and marketplace facilitators as to require registration for sales and use tax collection. Directs the Department of Taxation (the Department) to require a remote seller to collect sales and use tax if the seller has more than \$100,000 in annual gross revenue from sales in Virginia or at least 200 sales transactions in Virginia and requires a marketplace facilitator, which enables marketplace sellers to sell in Virginia through its marketplace, to collect sales and use tax if its annual gross revenue from facilitated sales in Virginia exceeds \$100,000 or it facilitates at least 200 sales transactions in Virginia. The bill provides that the obligation of remote sellers and marketplace facilitators to collect sales and use tax shall not apply to transactions occurring before July 1, 2019.	Hanger	1/8/19: Senate - Referred to Finance	
SB1601	Remote sales and use tax collection. Requires certain marketplace facilitators and marketplace sellers, defined in the bill, to collect and remit sales and use tax if such facilitators or sellers make sales of tangible personal property or taxable services for delivery in the Commonwealth exceeding \$100,000 or in 200 or more separate transactions. The bill provides that facilitators and sellers may enter into agreements regarding the fulfillment of the collection requirements. The bill prohibits class action from being brought against a marketplace facilitator on behalf of customers for overpayment of sales and use tax collected by the marketplace facilitator. The bill provides that the sales and use tax collection requirements shall not apply to any sales transactions occurring before July 1, 2019.	Norment	1/9/19: Senate - Referred to Finance	
SB1767	Remote sales and use tax collection and sufficient activity by remote sellers and marketplace facilitators as to require registration for sales and use tax collection. Directs the Department of Taxation (the Department) to require a remote seller to collect sales and use tax if the seller has more than \$250,000 in annual gross revenue from sales in Virginia and requires a marketplace facilitator, which enables marketplace sellers to sell in Virginia through its marketplace, to collect sales and use tax on any sales facilitated in the Commonwealth. The bill provides that the obligation of remote sellers and marketplace facilitators to collect sales and use tax shall not apply to transactions occurring before July 1, 2019.	Wagner	1/18/19: Senate - Referred to Finance	
Water Resources				

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments
January 22, 2019

HB885	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.	Orrock	3/7/18: Senate - Continued to 2019 in Education and Health	
HB1614	Local Stormwater Management Fund; grant moneys. Authorizes any locality to provide by ordinance for the creation of a local Stormwater Management Fund (the Fund) for the purpose of granting funds to an owner of private property or a common interest community for stormwater management and erosion prevention. The bill requires grants from the Fund to be used exclusively for construction, improvement, or repair of a stormwater management facility or for erosion and sediment control. The Fund shall exclusively comprise appropriated local moneys.	Cole	1/14/19: House - Assigned CC & T Sub #2	
HB1769	Management of menhaden. Requires the Virginia Marine Resources Commission (the Commission) to adopt regulations to implement the Atlantic States Marine Fisheries Commission's Interstate Fishery Management Plan for Atlantic Menhaden and authorizes the Commission to adopt regulations for managing the Commonwealth's menhaden fishery. The bill also requires that any moratorium on the fishery be subject to legislative review. The bill repeals several Code sections relating to quotas, allocation of allowable landings, and administrative procedures that will be included in a regulatory framework for managing the fishery.	Knight	1/9/19: Assigned ACNR Sub #3	
HB1822	Virginia Water Quality Improvement Fund; grant for wastewater conveyance facility; estimates of future funding requests; Stormwater Local Assistance Fund. Authorizes the Director of the Department of Environmental Quality (the Department) to authorize grants from the Virginia Water Quality Improvement Fund (the Fund) for the installation of certain wastewater conveyance infrastructure. Any such infrastructure shall divert wastewater from one publicly owned treatment works that is eligible for grant funding to another such eligible treatment works and shall result in no more expense to the Fund than would otherwise be incurred to install eligible nutrient removal technology or other treatment technology at the treatment works from which the wastewater will be diverted.	Bulova	1/9/19: Assigned ACNR Sub #3	
HB1879	Stormwater management facilities; private residential lots; disclosure. Directs the State Water Control Board to adopt regulations requiring any local stormwater management authority that requires a residential landowner to maintain a stormwater management facility on his property to record with the deed for the property a statement of the specifications and requirements and a schedule of audits of the facility. The bill requires the seller of any property with such a facility to disclose the specifications, requirements, and schedule of audits to a purchaser of the property.	Convirs-Fowler	1/21/19: House - Assigned GL Sub #4	
HB2047	Oyster planting grounds; municipal dredging projects; compensation. Extends the duration of an exception, for municipal dredging, to the right of a person to lease oyster planting grounds, and establishes a procedure for determining compensation to such a leaseholder when his grounds are disturbed by such a dredging project.	Stolle	1/16/19: Assigned ACNR Sub #3	

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments

January 22, 2019

<u>HB2062</u>	Ground water management; human consumption. Defines "human consumption" of ground water as drinking, food preparation, dishwashing, bathing, showering, hand washing, teeth brushing, and maintaining oral hygiene.	Carr	1/16/19: Assigned ACNR Sub #3	
<u>HB2063</u>	Ground water withdrawals; waste. Provides that when the State Water Control Board determines that surface water is reasonably available for use in a ground water management area, the use of ground water other than from the surficial aquifer in such management area for a purpose other than human consumption shall be deemed to constitute waste. The bill prohibits the issuance of a ground water withdrawal permit to authorize the withdrawal of water that constitutes waste. The bill contains technical amendments.	Carr	1/16/19: Assigned ACNR Sub #3	
<u>HB2064</u>	Ground water withdrawals; allocation. Requires any person applying for a ground water withdrawal permit in the Eastern Virginia Groundwater Management Area (EVGMA) who proposes to use 50 percent or more of the water to be withdrawn for human consumption to submit documentation of such use to the State Water Control Board (the Board). The bill requires the Board to conduct a technical evaluation to determine whether the proposed withdrawal, when combined with all existing lawful withdrawals, will lower water levels in any confined aquifer. The bill prohibits the Board from issuing a permit for such human consumptive use if the withdrawal would lower levels in any confined aquifer below a point representing 80 percent of the distance between the land surface and the top of the aquifer. For a use that does not qualify as a human consumptive use, the bill prohibits the Board from issuing a permit if the withdrawal would lower such levels below a point representing eight percent of the distance between the land surface and the top of the aquifer.	Carr	1/16/19: Assigned ACNR Sub #3	
<u>HB2103</u>	Stormwater management plans; erosion and sediment control plans; portion of project. Directs the State Water Control Board to establish a procedure that allows an operator to submit stormwater management plans that are sufficient for a particular proposed land-disturbing activity without requiring such plans to cover any subsequent land-disturbing activity anticipated at the same location or an adjacent location. The bill also amends a provision of the law that is not yet effective, directing the establishment of the same procedure as it applies not only to stormwater management plans but also to erosion and sediment control plans.	Freitas	1/16/19: Assigned ACNR Sub #3	
<u>HB2105</u>	Coal combustion residuals; Chesapeake Bay watershed; closure. Requires the owner or operator of any coal combustion residuals (CCR) unit, defined in the bill to include a coal ash pond or landfill, that is located in the Chesapeake Bay watershed to close such CCR unit by removing all of the CCR for (i) recycling, known as encapsulated beneficial use, or (ii) deposition in a permitted and lined landfill that meets certain federal standards. Any owner or operator that disposes of CCR in such a landfill is required to explain why recycling is not economically feasible. Such a closure project shall be completed within 15 years of its initiation and shall be accompanied by water testing or a connection to a municipal water supply for every residence within one-half mile.	Foy	1/16/19: Assigned ACNR Sub #3	

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments
January 22, 2019

<u>HB2154</u>	Stormwater management; grandfathered land-disturbing activities. Authorizes any land-disturbing activity that is eligible to take place pursuant to technical criteria that were adopted by the State Water Control Board prior to July 1, 2014, to be governed by such criteria until July 1, 2024. Current regulations grandfather such activities until July 1, 2019.	Stolle	1/16/19: Assigned ACNR Sub #3	
<u>HB2175</u>	Virginia Residential Property Disclosure Act; Virginia Residential Landlord and Tenant Act; disclosure of special flood hazard area to prospective purchaser or renter. Requires the owner of residential real property who has actual knowledge that the property is located in one or more special flood hazard areas to provide a written disclosure when selling the property. Under current law, the owner is required to advise the buyer to exercise due diligence prior to purchasing the property. The bill also requires landlords who have actual knowledge that the residential dwelling unit is on property that is located in a special flood hazard area to disclose that information to the prospective tenant. If a tenant is not provided disclosure within 60 days of discovery that the residential dwelling unit is on property that is located in a special flood hazard area, he may terminate the lease.	Convirs-Fowler	1/16/19: House - Assigned GL Sub #2	
<u>HB2310</u>	Local flood plain regulation. Authorizes any locality to regulate the activity on, or use or development of, a flood plain in a manner consistent with any state and federal flood plain management programs and requirements.	Hayes	1/18/19: House - Reported from CC & T with amendment (20-Y 0-N)	
<u>HB2361</u>	Stormwater management; land-disturbing activities; prior technical criteria. Provides that beginning July 1, 2019, all land-disturbing activities that are regulated pursuant to the Stormwater Management Act shall meet the technical criteria for stormwater management that were adopted by the State Water Control Board during 2011 and became effective July 1, 2014. Under current regulations, certain projects are grandfathered under the technical criteria that applied prior to July 1, 2014.	Jones	1/16/19: Assigned ACNR Sub #3	
<u>HB2611</u>	Regional Greenhouse Gas Initiative; prohibition on participation by Commonwealth. Prohibits the Governor or any state agency from adopting any regulation establishing a carbon dioxide cap-and-trade program or bringing about the participation by the Commonwealth in a regional market for the trading of carbon dioxide allowances. The bill provides that the Commonwealth shall be allowed to participate in such a cap-and-trade program if the House of Delegates and the Senate of Virginia each adopt a resolution by a two-thirds vote that specifically references and approves the regulatory text proposed for adoption by a state agency.	Poindexter	1/21/19: House - Subcommittee recommends reporting (5-Y 2-N)	

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments
January 22, 2019

HB2637	Loans and grants for agricultural best management practices; riparian buffers. Authorizes the State Water Control Board to issue loans and grants from the Virginia Water Facilities Revolving Fund for the construction, renovation, improvement, or equipping of facilities or structures to implement agricultural best management practices to prevent pollution of state waters. Current law authorizes the Board to only issue loans for the construction of such facilities. The bill includes among the types of facilities or structures for which a loan or grant may be issued riparian buffers planted in trees and maintained in accordance with the terms and conditions of the loan or grant.	Webert	1/16/19: House - Assigned ACNR Sub #3	
HB2783	Living shorelines; loans to businesses. Authorizes a local government that has a funding program to provide low-interest loans or other incentives to assist in establishing living shorelines to provide such incentives to businesses. Current law authorizes the provision of such incentives only to individual residents of the Commonwealth.	Hodges	1/21/19: House - Assigned ACNR Sub #3	
HJ 597	Study; economic impacts of litter on fishing, farming, and water quality in urban streams; report. Requests the Department of Environmental Quality to study the economic impact of litter on fishing, farming, water quality, and other components of Virginia's economy and to propose strategies, campaigns, and necessary state actions to protect the economy of the Commonwealth from harm caused by litter and promote Virginia's economic welfare.	Krizek	1/17/19: Assigned Rules Sub #1	
HJ610	Study; Secretary of Natural Resources; the effects of wind tide flooding in the Southern Watershed; report. Requests the Secretary of Natural Resources to study the effects of wind tide flooding in the Southern Watershed. In conducting the study, the Secretary shall (i) coordinate with and provide resources to the City of Virginia Beach to assess the impacts of wind tide flooding in the Southern Watershed, (ii) research the viability of a range of solutions aimed at addressing the root causes and effects of wind tide flooding in the Southern Watershed, (iii) identify the time frames and economic costs of various solutions, and (iv) make recommendations for state action based on all relevant factors.	Knight	1/17/19: Assigned Rules Sub #1	

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments
January 22, 2019

HJ641	Department of Health; rulemaking process; use of rainwater; report. Requests the Department of Health to evaluate and allow for stakeholder input on additional issues related to use of rainwater as part of the rulemaking process pursuant to a 2018 Act of Assembly, including (i) the conditions under which rainwater may appropriately be used and for what purposes; (ii) standards for the use of rainwater for human consumption; (iii) standards for rainwater harvesting systems, including systems that collect rainwater for human consumption and systems that collect rainwater for use by commercial enterprises but not human consumption; (iv) a requirement that buildings that draw water from both rainwater harvesting systems and public water supplies maintain appropriate cross-connection safeguards; and (v) training and certification requirements for installers of rainwater harvesting systems, including installers of rainwater harvesting systems installed in buildings that draw water from both rainwater harvesting systems and public water supplies. The Department is also requested to provide an update on the status of the rulemaking process to the General Assembly by November 1, 2019.	Yancey	1/17/19: Assigned Rules Sub #1	
SB367	Regulation of stormwater; airports. Allows localities to provide for a partial waiver of service charges for stormwater management to airports for that portion of the property that is used for runways and taxiways.	Newman	1/30/18: Senate - Continued in 2019 in Local Government (10-Y 0-N)	
SB766	Citizen water quality monitoring; use as evidence in enforcement actions. Authorizes the Department of Environmental Quality (the Department) to use certain results of citizen water quality testing as evidence in enforcement actions. Such evidence is currently prohibited. The bill also directs the Department to consider in some cases data collected by a citizen group, regardless of whether the data conforms to the requirements set out in the Code of Virginia.	Surovell	11/30/18: Senate - Left in Commerce and Labor	
SB990	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.	DeSteph	2/1/18: Continued to 2019 in ACNR (14-Y 0-N)	
SB1046	Management of menhaden. Requires the Virginia Marine Resources Commission to adopt regulations to implement the Interstate Fishery Management Plan for Atlantic Menhaden and authorizes the Commission to adopt regulations for managing the Commonwealth's menhaden fishery. The bill also requires that any moratorium on the fishery be subject to legislative review. The bill repeals several existing codified provisions relating to quotas, allocation of allowable landings, and administrative procedures, which will be included in a regulatory framework for managing the fishery.	Cosgrove	12/2/18: Senate - Referred to ACNR	

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments
January 22, 2019

SB1049	Menhaden fishery. Directs the Virginia Marine Resources Commission to adopt regulations to implement the Interstate Fishery Management Plan for Atlantic Menhaden and requires that any moratorium on the fishery be subject to legislative review.	Cosgrove	12/2/18: Senate - Referred to ACNR	
SB1248	Local Stormwater Management Fund. Authorizes a locality by ordinance to create a local Stormwater Management Fund consisting of appropriated local moneys for the purpose of granting funds to an owner of private property or a common interest community for stormwater management and erosion prevention.	Reeves	1/21/19: Senate - Read third time and passed Senate (40-Y 0-N)	
SB1328	Stormwater Local Assistance Fund; grants to non-MS4 localities. Authorizes the Department of Environmental Quality (the Department), with the approval of the Secretary of Natural Resources, to designate a portion of the moneys in the Stormwater Local Assistance Fund to provide matching grants to local governments that are not regulated under municipal separate storm sewer (MS4) permits for the planning, design, and implementation of stormwater best management practices. The bill directs the Department to prioritize grants for projects that are regional in scope. The bill directs the Department to seek stakeholder input and public comment in developing eligibility criteria and to submit such criteria by January 1, 2020, for consideration by the State Water Control Board.	Hanger	1/7/19: Senate - Referred to ACNR	
SB1388	Chesapeake Bay Watershed Implementation Plan; Lynnhaven River and Little Creek watersheds. Repeals directions to state agencies to exclude the Lynnhaven River and Little Creek watersheds from the James River Basin for purposes of the Chesapeake Bay Watershed Implementation Plan.	Wagner	1/8/19: Senate - Referred to ACNR	
SB1389	Hurricane and Flooding Risk Reduction and Bond Rating Protection Act of 2019; report. Creates the Hurricane and Flooding Risk Reduction and Bond Rating Protection Act of 2019, establishing the Commonwealth of Virginia as a nonfederal sponsor of hurricane and flooding risk reduction projects.	Wagner	1/14/19: Senate - Stricken at request of Patron in Commerce and Labor (11-Y 0-N)	
SB1413	Oyster planting grounds; lease assignments. Authorizes the Commissioner of Marine Resources (the Commissioner) to decide which area within a riparian owner's waters shall be assigned for planting oysters and removes the \$1.50 fee of such assignment. Under current law, such decision is made by the riparian owner. The bill changes various provisions related to oyster-planting grounds, including (i) increasing the application fee for an assignment of general or riparian oyster-planting grounds, (ii) authorizing the Commissioner to consider the public benefits of shellfish aquaculture or whether a transfer or renewal of an oyster-planting lease is in the public interest when determining whether to allow such transfer or renewal of an assignment, (iii) directing the Marine Resources Commission to adopt regulations related to license renewal fees, and (iv) increasing the application fee for a transfer of an oyster-planting lease. The bill contains an emergency clause.	Mason	1/8/19: Senate - Referred to ACNR	
SB1414	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 (HRSDD).	Mason	1/8/19: Senate - Referred to ACNR	

2019 General Assembly Session - Summary of HRPDC - Related Bills and Budget Amendments
January 22, 2019

SB1559	C-PACE loans; shoreline resiliency improvements. Authorizes any locality, by ordinance, to authorize contracts to provide loans for the initial acquisition and installation of shoreline resiliency improvements with free and willing property owners of both existing properties and new construction. Current law authorizes such contracts only for clean energy improvements.	Lewis	1/9/19: Senate - Referred to Local Government	
SB1666	Virginia Coastal Protection Act. Recasts the Virginia Shoreline Resiliency Fund as the Virginia Coastal Protection Fund. Moneys generated by the sale of carbon dioxide emissions allowances through any auction program administered by the Commonwealth are directed to the Fund. The measure directs the State Air Pollution Control Board to adopt regulations to limit and reduce the total carbon dioxide emissions released by electric generation facilities. The regulations are required to comply with the Regional Greenhouse Gas Initiative program. The measure authorizes the Director of the Department of Environmental Quality to establish, implement, and manage an auction program to sell allowances into a market-based trading program. The measure requires revenues from the sale of carbon allowances, to the extent permitted by Article X, Section 7 of the Constitution of Virginia, to be distributed without further appropriation to assist localities in implementing hazard mitigation projects in areas that are subject to recurrent flooding, to support energy efficiency programs, to programs in Southwest Virginia for the purpose of revitalizing communities affected by the decline of fossil fuel production, and for administrative expenses. An enactment clause exempts from the Administrative Process Act actions taken by the Department of Environmental Quality to incorporate provisions of this measure into State Air Pollution Control Board regulations without further action of the Board. The enactment also provides that such incorporation will become effective upon approval of the provisions of the measure by the Director of the Department and the filing of the amended regulations with the Registrar of Regulations	Lewis	1/10/19: Senate - Referred to ACNR	
SJ277	Resiliency Week. Designates the first week of September, in 2019 and in each succeeding year, as Resiliency Week in Virginia.	Sturtevant	1/6/19: Senate - Referred to Rules	
368 #2h	SLAF. This amendment proposes an additional appropriation of \$20.0 million from the general fund in the second year to support the Stormwater Local Assistance Fund (SLAF) which is utilized to assist localities meet stormwater best management practices required to reduce water quality pollutant loads and meet the water quality requirements of the Chesapeake Bay Watershed Implementation Plan.	Yancey		
451 #2h	Safety Signage for Flooding. This amendment authorizes VDOT to place signage to improve safety of motorists during flood conditions in localities participating in the National Flood Insurance Program Community Rating System.	Hodges		