

VHTA 2010 Bill Tracking List

House Bills

HB 2 Income tax, state; small business investment tax credit.

G. Manoli Loupassi

Income tax; small business investment tax credit. Provides a tax credit equal to 10% of the eligible investments made by small business taxpayers in personal property and real estate improvements used in the business. The investments must be made beginning July 1, 2010, but before July 1, 2011, and the minimum amount must be \$10,000 in order to qualify for the credit. For purposes of the credit, a business qualifies as small if it has 500 or fewer employees.

11/16/09 House: Referred to Committee on Finance **Position – Monitor**

HB 31 Health benefits plans; sale by foreign health insurers to persons in State.

Robert G. Marshall

Health benefits plans offered by foreign health insurers. Authorizes any foreign health insurer approved by any other state to sell a group health benefits plan that is offered in the insurer's domiciliary state to sell to persons in Virginia any health benefits plan that has been approved by another state.

12/18/09 House: Referred to Committee on Commerce and Labor **Position – Monitor**

HB 34 Health insurance; mandated coverage for autism spectrum disorder.

Robert G. Marshall

Health insurance; mandated coverage for autism spectrum disorder. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorder in individuals under age 21.

12/18/09 House: Referred to Committee on Commerce and Labor **Position- Oppose**

HB 57 Business, professional, and occupational license (BPOL) tax; limits on rates and imposition.

Mark L. Cole

Business, professional, and occupational license (BPOL) tax; limits on rates and imposition. Prohibits any locality from (i) imposing the BPOL tax if the locality did not impose it as of January 1, 2010, and (ii) increasing the BPOL tax rates after January 1, 2010.

12/22/09 House: Referred to Committee on Finance **Position – Monitor**

HB 60 Food safety preparation inspections; exempts private homes that process certain foods.

David J. Toscano

Private homes; food safety preparation inspections. Exempts private homes from food safety inspections where the resident processes and prepares pickles, relishes, and salsas for sale to individuals at the home or at farmers markets and labeled "NOT FOR RESALE – PROCESSED AND PREPARED WITHOUT STATE INSPECTION." Private homes are already exempt from inspection where candies, jams, jellies, and baked goods are prepared and distributed accordingly.

12/28/09 House: Referred to Committee on Agriculture, **Position – Monitor**

HB 102 Petit larceny; allows court to defer and dismiss first-offense charge.

G. Manoli Loupassi

Deferred proceedings for petit larceny. Allows a court to defer and dismiss a first-offense petit larceny charge, provided the accused meets terms and conditions of probation, including payment of a loss-prevention fee of \$100 to \$500 to the owner of the property, in addition to any restitution ordered.

01/05/10 House: Referred to Committee for Courts of Justice **Position – Monitor**

HB 106 Concealed handguns; person with valid permit allowed to carry in place of worship with permission.

Mark L. Cole

Carrying concealed handguns. Allows a person with a valid concealed handgun permit to carry a concealed handgun in a place of worship with permission of the leader of the religious meeting. The bill also eliminates the restriction against carrying a concealed handgun in a restaurant that serves alcohol.

01/05/10 House: Referred to Committee on Militia, Police and Public Safety **Position - Oppose**

HB 110 BPOL tax; localities to decide to impose on business's gross receipts or its Sate taxable income.

Mark L. Cole

Business, professional and occupational license tax; gross receipts or Virginia taxable income. Allows localities to decide whether to impose the BPOL tax on a business's gross receipts or its Virginia taxable income.

01/05/10 House: Referred to Committee on Finance **Position – Monitor**

HB 119 Income tax, corporate; eliminates State tax for taxable years on and after January 1, 2010.

Harry R. Purkey

Corporate income tax. Eliminates Virginia's corporate income tax for taxable years beginning on and after January 1, 2010.

01/05/10 House: Referred to Committee on Finance **Position – Monitor**

HB 124 Alcholic beverages; penalty for possession of open container in a motor vehicle.

Harry R. Purkey

Possession of open container of alcohol in a motor vehicle; penalty. Provides that no person shall possess an alcoholic beverage in the passenger area of a motor vehicle upon a public highway of the Commonwealth in other than the manufacturer's unopened, original container. The bill punishes violators with a civil penalty of \$25.

01/05/10 House: Referred to Committee on Militia, Police and Public Safety **Position – Monitor**

HB 144 DUI; law-enforcement officer may inquire about location of consumption of last drink.

John M. O'Bannon, III

Law-enforcement officer to inquire about last drink. Provides that any law-enforcement officer, in the course of questioning a person whom he suspects is guilty of driving while intoxicated, may ask the person to identify the physical location where he consumed his last alcoholic beverage, and if the person gives an answer, the officer shall record the information and provide it to the Alcoholic Beverage Control Board.

01/13/10 House: Assigned Courts sub: Criminal Position – Oppose

HB 155 Stormwater management regulations.

Rosalyn R. Dance

Stormwater management regulations. Delays for two years the Department of Conservation and Recreation's regulations governing the stormwater management program that were to be implemented on July 1, 2010.

01/05/10 House: Referred to Committee on Agriculture, Chesapeake Position – Support

HB 171 Firearms in locked vehicles; immunity from liability.

Brenda L. Pogge

Firearms in locked vehicles; immunity from liability. Provides that no person, property owner, tenant, employer, or business owner may prohibit a person who lawfully possesses a firearm from storing that firearm in a locked motor vehicle. The bill provides civil immunity for such persons, property owners, tenants, employers, or business owners. The provisions of the bill would not apply to possession of firearms on school property, nor would the provisions apply to vehicles owned or leased by an employer or business and used by an employee in the course of his employment.

01/06/10 House: Referred to Committee on Militia, Police and Public Safety Position - Oppose

HB 178 Seasonal or temporary workers; disqualifies employee from unemployment compensation benefits.

Joseph D. Morrissey

Eligibility of seasonal or temporary workers for unemployment benefits. Disqualifies an unemployed individual for unemployment compensation benefits if he was provided with written notice, and signed an acknowledgment of receipt of such notice, by his employer stating that his employment is temporary or seasonal and will be terminated by a date certain or upon the completion of seasonal work specified in the written notice.

01/07/10 House: Referred to Committee on Commerce and Labor Position - Monitor

HB 181 Gift cards; prohibits issuance of those that automatically expire as a result of passage of time.

Joseph D. Morrissey

Gift cards. Prohibits the issuance of a gift card that automatically, as a result of the passage of a period of time following its purchase or activation (i) expires, (ii) diminishes in value by the assessment of a maintenance fee or inactivity fee, or (iii) otherwise becomes unredeemable.

01/07/10 House: Referred to Committee on Commerce and Labor Position - Monitor

HB 223 Estate tax; dedication of revenues collected.

Vivian E. Watts

Estate tax reinstated. Reinstates the estate tax for persons dying on or after July 1, 2010. No estate tax will be imposed on a gross estate if the majority of the assets of the estate is an interest in a closely held business or a working farm. The revenues from the estate tax would first be used for funding staffing standards in nursing homes required to be established under the bill, which staffing standards would require a minimum period of time of direct care services to each resident per 24-hour period.

01/11/10 House: Referred to Committee on Rules **Position - Oppose**

HB 237 Income tax, state; job creation tax credit.

William R. Janis

Income tax; job creation tax credit. Provides an income tax credit to sole proprietors, partners in a partnership and members of a limited liability company when they create and fill at least 10 new positions in the Commonwealth beginning on and after January 1, 2010. The amount of the credit is 10 percent of the Virginia gross income of the entity creating the jobs and may only be taken when the new jobs have been filled for at least 24 consecutive months.

01/11/10 House: Referred to Committee on Finance **Position- Monitor**

HB 249 School calendar; opening of 2010-2011 school year in Planning Districts 5 and 12.

Donald W. Merricks

Opening of the 2010-2011 school year in Planning Districts 5 and 12. Authorizes the school boards in Planning Districts 5 and 12, which includes Alleghany County, Botetourt County, Craig County, Roanoke County, City of Covington, City of Roanoke, City of Salem, Pittsylvania County, Martinsville City, Henry County, Franklin County, Patrick County, and Danville City, to set the opening of the 2010-2011 school year so that the first day students are required to attend school shall be one week prior to Labor Day.

01/11/10 House: Referred to Committee on Education **Position - Oppose**

HB 271 Individual income, corporate income, and sales and use taxes; restructuring various taxes.

David L. Englin

Individual income tax, corporate income tax, and sales and use tax. Removes the remaining portion of the state sales and use tax (one and one-half percent) from food for human consumption (effective July 1, 2011), restructures the individual income tax rate brackets, and exempts corporations having less than \$100,000 of Virginia taxable income from the Virginia corporate income tax for taxable years beginning on or after January 1, 2011.

01/11/10 House: Referred to Committee on Finance **Position- Monitor**

HB 275 Estate Tax; tax rate is one-half of amount of federal credit as it existed on January 1, 1978.

David L. Englin

Estate Tax. Provides that if there is no federal estate tax credit for state estate taxes paid, then the Virginia estate tax rate is one-half of the amount of the federal credit as it existed on January 1, 1978.

01/11/10 House: Referred to Committee on Finance **Position - Oppose**

HB 303 Health insurance; mandated coverage for autism spectrum disorder.

John M. O'Bannon, III

Health insurance; mandated coverage for autism spectrum disorder. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorder in individuals from the date of diagnosis until they reach 10 years of age. This requirement does not apply to individual or small group policies, contracts, or plans, and will not apply to the state employees' health insurance plan until July 1, 2015.

01/15/10 House: Assigned C & L sub: #1 **Position - Oppose**

HB 342 Alcoholic beverage control; privatization of ABC stores.

Robert G. Marshall

Alcoholic beverage control (ABC); privatization of ABC stores. Provides for the issuance of a "package store" license to authorize the retail sale of alcoholic beverages for off-premises consumption. The bill also requires the ABC Board to sell at auction all real estate used as ABC stores, and to terminate leased property upon which the ABC Board has operated a government store. The bill requires the ABC Board to complete an implementation study by December 31, 2010, on how it will privatize government stores. The bill has a delayed effective date of January 1, 2011, to achieve full retail privatization of government stores. The bill provides that any monetary savings realized by the ABC Board from the implementation of the bill shall be applied to the Transportation Trust Fund. The bill contains numerous technical amendments.

01/11/10 House: Referred to Committee on General Laws **Position - Monitor**

HB 354 Alcoholic beverage control; creates hotel manager's reception license.

David L. Englin

Alcoholic beverage control; hotel manager's reception license. Creates a new hotel manager's reception license and sets out the privileges of the license as well as the license taxes.

01/15/10 House: Assigned GL sub: #3 ABC/Gaming **Position - Monitor**

HB 364 Local business license tax; payment of all taxes prior to license renewal or issuance.

Onzlee Ware

Local business license tax; payment of all taxes prior to license renewal or issuance. Allows the local governing bodies to require applicants of business licenses for new and existing businesses to prove payment of all local taxes before the local business license will be issued or renewed.

01/12/10 House: Referred to Committee on Finance **Position - Oppose**

HB 370 Transient Occupancy Tax; Alleghany County.

James M. Shuler

Transient Occupancy Tax; Alleghany County. Adds Alleghany County to those localities authorized to impose a transient occupancy tax not to exceed five percent, with any excess over two percent to be spent solely on tourism. Under current law, any county may impose a transient occupancy tax not to exceed two percent.

01/12/10 House: Referred to Committee on Finance **Position - Monitor**

HB 505 Concealed handguns; restaurants.

C. Todd Gilbert

Concealed handguns; restaurants. Prohibits a person who carries a concealed handgun onto the premises of a restaurant or club from consuming an alcoholic beverage while on the premises.

01/12/10 House: Referred to Committee on Militia, Police and Public Safety **Position – Oppose**

HB 521 Plastic bags; use by retailers.

Joseph D. Morrissey

Plastic bags; use by retailers. Bans the use of plastic carryout bags by retailers at the point of sale unless such bags are (i) durable plastic bags with handles; (ii) at least 2.25 mils thick; and (iii) specifically designed and manufactured for multiple reuse.

01/12/10 House: Referred to Committee on Agriculture, Chesapeake **Position - Oppose**

HB 548 Group health insurance policies; wellness programs.

Daniel W. Marshall, III

Group health insurance policies; wellness programs. Allows group health insurance policies to provide a discount of up to five percent to employers who institute employee wellness programs. The bill also allows an employer instituting and maintaining an employee wellness program to require any employee wishing to enroll to undergo a health assessment as a condition of enrollment.

01/12/10 House: Referred to Committee on Commerce and Labor **Position - Monitor**

HB 565 Public schools; opening of the school year.

Robert Tata

Public schools; opening of the school year. Allows local school boards, for years in which Labor Day falls on September 5 or later, to set the school calendar so that the first day students are required to attend school shall be no earlier than one week before Labor Day.

01/12/10 House: Referred to Committee on Education **Position - Oppose**

HB 584 Highway rest areas and welcome centers; VDOT to reopen.

R. Steven Landes

Highway rest areas and welcome centers. Requires VDOT to reopen closed highway rest areas and residency offices and prohibits closure of highway welcome centers.

01/12/10 House: Referred to Committee on Transportation **Position - Support**

HB 588 Alcoholic beverage control; wine liter tax.

R. Steven Landes

Alcoholic beverage control; wine liter tax. Requires the portion of the wine liter tax collected from the sale of wine produced by farm wineries to be deposited in the Virginia Wine Promotion Fund for use by the Wine Board.

01/12/10 House: Referred to Committee on Appropriations **Position - Monitor**

HB 652 Eminent domain; just compensation; restricted access.

Ward L. Armstrong

Eminent domain; just compensation; restricted access. Provides that any restriction, change, or loss of access to or from property taken under the power of eminent domain shall be considered as an element in assessing the damages to the property for the purposes of determining just compensation.

01/12/10 House: Referred to Committee for Courts of Justice **Position - Monitor**

HB 731 School calendar.

David B. Albo

School calendar. Provides that each local school board shall set the school calendar so that the first day students are required to attend school shall be no earlier than the Monday after the fourth weekend in August.

01/12/10 House: Referred to Committee on Education **Position - Oppose**

HB 771 School calendar; opening of school year in City of Roanoke.

William H. Cleaveland

Opening of the school year in the City of Roanoke. Authorizes the City of Roanoke School Board to set the opening of the school year so that the first day students are required to attend school shall be no earlier than two weeks prior to Labor Day.

01/12/10 House: Referred to Committee on Education **Position - Oppose**

HB 791 Taxes on room rentals.

Robert H. Brink

Taxes on room rentals. Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an agent or other party to collect the retail sales and hotel taxes, the bill would require the agent or other party to separately state the taxes on the bill or invoice and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room.

01/12/10 House: Referred to Committee on Education **Position - Oppose**

HB 799 School calendar.

Thomas A. Greason

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement.

01/13/10 House: Referred to Committee on Education **Position - Oppose**

HB 828 Grand larceny; threshold amount.

Scott A. Surovell

Grand larceny; threshold amount. Increases from \$200 to \$750 the threshold amount of money or the value of the goods or chattel that the defendant must take before the crime rises from petit larceny to grand larceny. The same threshold is increased for certain property crimes.

01/13/10 House: Referred to Committee for Courts of Justice **Position - Oppose**

HB 830 Food and beverage tax; Fairfax County.

Scott A. Surovell

Food and beverage tax; Fairfax County. Adds Fairfax County to those counties that may impose a food and beverage tax without a referendum, provided the governing body votes unanimously to impose the tax.

01/13/10 House: Referred to Committee on Finance **Position - Oppose**

HB 893 Taxes on room rentals.

William K. Barlow

Taxes on room rentals. Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an agent or other party to collect the retail sales and hotel taxes, the bill would require the agent or other party to separately state the taxes on the bill or invoice and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room.

01/13/10 House: Referred to Committee on Finance **Position - Oppose**

HB 923 DUI ignition interlock limitations.

Robert B. Bell

DUI ignition interlock limitations. Provides that a person who is convicted of DUI is required to have an ignition interlock on the first offense as a condition of a restricted license. Currently, the requirement for an interlock is only imposed upon a second offense or when the offender's blood alcohol content is above 0.15 percent.

01/13/10 House: Referred to Committee for Courts of Justice **Position - Monitor**

HB 972 Transient occupancy tax; Fairfax County limitations.

Thomas Davis Rust

Transient occupancy tax; Fairfax County limitations. Clarifies that the additional transient occupancy tax in Fairfax County does not apply within the limits of any town located in Fairfax County.

01/13/10 House: Referred to Committee on Finance **Position - Monitor**

HB 1051 Tax dealer discounts.

James M. Scott

Tax dealer discounts. Eliminates the dealer discounts for the retail sales and use tax, communications sales and use tax, state cigarette tax, E-911 tax, tobacco products tax, tire recycling fee, fuels tax, and motor vehicle fuel sales tax.

01/13/10 House: Referred to Committee on Appropriations **Position - Oppose**

HB 1081 Highway rest areas and welcome centers.

Anne B. Crockett-Stark

Highway rest areas and welcome centers. Requires VDOT to reopen closed highway rest stops and prohibits closure of highway welcome centers.

01/13/10 House: Referred to Committee on Transportation **Position - Support**

HB 1100 Stormwater management; certain landowners shall be immune from civil liability.

Mark D. Sickles

Stormwater management facilities; liability. Provides that landowners who cede responsibility for the maintenance, repair, and replacement of a stormwater management facility to the Commonwealth or political subdivision thereof shall be immune from civil liability in relation to such stormwater management facility. The immunity does not extend to cases of intentional or willful misconduct or gross negligence.

01/13/10 House: Referred to Committee on Agriculture, Chesapeake **Position - Monitor**

HB 1111 School calendar; certain school divisions granted waiver from regular opening schedule.

Adam P. Ebbin

School calendar. Adds to the "good cause" circumstances for which school divisions may be granted a waiver from the regular post-Labor Day school opening schedule a school division containing one or more elementary schools that are receiving Title I funding under the federal Elementary and Secondary Education Act. The waiver will apply only to the elementary schools receiving such funding.

01/13/10 House: Referred to Committee on Education **Position - Oppose**

HB 1115 Paper and plastic bag fee.

Adam P. Ebbin

Paper and plastic bag fee. Imposes a fee of \$0.05 on paper and plastic bags used by purchasers to carry tangible personal property from the place of purchase. Durable, reusable plastic bags and bags used for ice cream, meat, fish, poultry, leftover restaurant food, newspapers, dry cleaning and prescription drugs are exempt from the fee. Retailers are allowed to retain \$0.01 of the \$0.05 fee or \$0.02 if the retailer has a customer bag credit program. The revenues raised by the fee will be deposited in the Virginia Water Quality Improvement Fund. Failure to collect and remit the fee will result in fines of \$250, \$500, and \$1,000 for the first, second, third and thereafter offenses.

01/13/10 House: Referred to Committee on Finance **Position - Oppose**

HB 1138 County food and beverage tax; all counties may impose.

Harvey B. Morgan

County food and beverage tax; all counties may impose. Allows all counties to impose the local food and beverage tax without a referendum, provided the revenues from the tax are used to reduce the county's real property tax rate. The new provisions apply to those counties that impose the tax for the first time or increase the meals tax rate on or after July 1, 2010.

01/13/10 House: Referred to Committee on Finance **Position - Oppose**

HB 1150 Sales and use tax; optional local tax for education.

James M. Scott

Sales and use tax; optional local tax for education. Authorizes any county or city to levy an additional local sales and use tax at a rate of one-half percent with all revenue generated from such tax to be used for education purposes.

01/13/10 House: Referred to Committee on Finance **Position - Oppose**

HB 1197 DUI ignition interlock limitations.

Sal R. Iaquinto

DUI ignition interlock limitations. Provides that a person who is convicted of DUI is required to have an ignition interlock on the first offense as a condition of a restricted license. Currently, the requirement for an interlock is imposed only upon a second offense or when the offender's BAC is above 0.15 percent.

01/13/10 House: Referred to Committee for Courts of Justice **Position - Oppose**

HJ 126 Study; JLARC; privatizing Commonwealth's rest areas; report.

David A. Nutter

Study; JLARC; privatizing Commonwealth's rest areas; report. Directs the Joint Legislative Audit and Review Commission to study the privatization of all or portions of the Commonwealth's rest areas.

01/13/10 House: Referred to Committee on Transportation **Position - Monitor**

Senate Bills

SB 77 School calendar; removes restrictions for post-Labor Day school opening.

W. Roscoe Reynolds

Opening of the school year; good cause. Removes the restriction that a Board of Education waiver from the post-Labor Day school opening requirement based on a school division's dependence on another school division's instructional program shall only apply to the opening date for those schools where such instructional program is dependent on and provided in one or more elementary or middle or high schools of another school division that qualifies for a waiver.

01/05/10 Senate: Referred to Committee on Education and Health **Position – Oppose**

SB 132 Retail Sales and Use Tax; increases distribution to Transportation Trust Fund.

Mark D. Obenshain

Retail sales and use tax; distribution to Transportation Trust Fund. Increases the distribution to the Transportation Trust Fund from the sales and use tax revenue generated by a one-half percent sales and use tax to the sales and use tax revenue generated by a one percent sales and use tax upon the Comptroller determining in any fiscal year that (i) the growth in general fund revenues for the most recently completed fiscal year was at least three percent, and (ii) the actual dollar increase in general fund revenues for the most recently completed fiscal year was at least equal to the sales and use tax revenue generated by a one-half percent sales and use tax.

01/11/10 Senate: Referred to Committee on Finance **Position - Monitor**

SB 203 Public schools; opening of the school year.

Harry B. Blevins

Public schools; opening of the school year. Allows local school boards, for years in which Labor Day falls on September 5 or later, to set the school calendar so that the first day students are required to attend school shall be no earlier than one week before Labor Day.

01/12/10 Senate: Referred to Committee on Education and Health **Position - Oppose**

SB 218 Transient occupancy tax; Fairfax County limitations.

Janet D. Howell

Transient occupancy tax; Fairfax County limitations. Clarifies that the additional transient occupancy tax in Fairfax County does not apply within the limits of any town located in Fairfax County.

01/12/10 Senate: Referred to Committee on Finance **Position - Oppose**

SB 237 Alcoholic beverage control; wine liter tax.

John C. Watkins

Alcoholic beverage control; wine liter tax. Requires the portion of the wine liter tax collected from the sale of wine produced by farm wineries to be deposited in the Virginia Wine Promotion Fund for use by the Wine Board.

01/12/10 Senate: Referred to Committee on Rehabilitation and Social Services **Position - Monitor**

SB 253 Opening of the school year.

W. Roscoe Reynolds

Opening of the school year. Provides that the requirement that the school calendar begin after Labor Day may be waived by the Board of Education, provided the school board certifies that it meets one of the good cause requirements in current law.

01/12/10 Senate: Referred to Committee on Education and Health **Position - Oppose**

SB 261 Weights and measures fee.

Mary Margaret Whipple

Weights and measures fee. Authorizes the Commissioner of Agriculture and Consumer Services to establish inspection and certification fee of \$17.50 on each weight and measure commercially used in Virginia.

01/12/10 Senate: Referred to Committee on Agriculture, **Position - Oppose**

SB 280 County meals tax; rate of tax and approval required.

Frederick M. Quayle

County meals tax; rate of tax and approval required. Removes the current cap of four percent for the county meals tax and allows counties to impose an uncapped rate. The bill would also allow counties to adopt or increase a meals tax by a majority vote of the elected members of the governing body.

01/12/10 Senate: Referred to Committee on Finance **Position - Oppose**

SB 334 Concealed handguns; restaurants; penalty.

Emmett W. Hanger, Jr.

Concealed handguns; restaurants; penalty. Allows a person with a concealed handgun permit to carry a concealed handgun onto the premises of a restaurant or club and prohibits such person from consuming alcoholic beverages while on the premises. A person who consumes alcohol in violation of the provisions of the bill is guilty of a Class 2 misdemeanor and a person who becomes intoxicated in violation of the provisions of the bill is guilty of a Class 1 misdemeanor.

01/12/10 Senate: Referred to Committee for Courts of Justice **Position - Oppose**

SB 340 Virginia Retail Sales and Use Tax Act.

Emmett W. Hanger, Jr.

Virginia Retail Sales and Use Tax Act. Conforms the Commonwealth's sales and use tax laws to the provisions of the Streamlined Sales and Use Tax Agreement.

01/12/10 Senate: Referred to Committee on Finance **Position - Monitor**

SB 342 Transient occupancy tax.

Emmett W. Hanger, Jr.

Transient occupancy tax. Provides that any county, by duly adopted ordinance, may levy a transient occupancy tax on single-family residences rented out for continuous occupancy for fewer than 30 consecutive days.

01/12/10 Senate: Referred to Committee on Finance **Position - Monitor**

SB 412 School calendar.

Jill Holtzman Vogel

School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education might grant waivers of this requirement.

01/13/10 Senate: Referred to Committee on Education and Health **Position - Oppose**

SB 443 Alcoholic beverage control; privatization of ABC stores.

Mark D. Obenshain

Alcoholic beverage control; privatization of ABC stores. Provides for the auction of "package store" licenses to authorize the retail sale of alcoholic beverages for off-premises consumption. The bill also requires the ABC Board to sell or transfer all interest in real property utilized in the wholesale and retail sale of alcoholic beverages. The bill requires the ABC Board to set a fixed number of licenses for all localities, which shall be at a minimum one license for each locality of the Commonwealth and shall not exceed one license per 10,000 residents of the locality. The initial issuance of licenses by the Board would be through regional auctions beginning July 1, 2011, which may also be conducted through the Department's publicly accessible website. The annual state license tax on package store licenses would be the initial purchase price at auction plus an annual inflation adjustment based on the Consumer Price Index. The tax levied on spirits sold in package stores would be 25 percent of the price charged. This bill contains numerous technical amendments.

01/13/10 Senate: Referred to Committee on Rehabilitation and Social Services **Position - Monitor**

SB 452 Taxes on room rentals.

Mary Margaret Whipple

Taxes on room rentals. Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an agent or other party to collect the retail sales and hotel taxes, the bill would require the agent or other party to separately state the taxes on the bill or invoice and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room.

01/13/10 Senate: Referred to Committee on Finance **Position - Monitor**

SB 464 Health insurance; mandated coverage for autism spectrum disorder.

Janet D. Howell

Health insurance; mandated coverage for autism spectrum disorder. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorder in individuals from the date of diagnosis until they reach 10 years of age. This requirement does not apply to individual or small group policies, contracts, or plans, and will not apply to the state employees' health insurance plan until July 1, 2015.

01/13/10 Senate: Referred to Committee on Commerce and Labor **Position - Oppose**

SB 525 Cooperative Marketing Fund of the Virginia Tourism Authority; dedication of soft drink excise tax.

Thomas K. Norment, Jr.

Cooperative Marketing Fund of the Virginia Tourism Authority; dedication of soft drink excise tax and litter tax revenues. Dedicates the revenues from the Commonwealth's soft drink excise tax and litter tax to the Cooperative Marketing Fund administered by the Virginia Tourism Authority. The first priority for moneys in the Cooperative Marketing Fund shall be as a match for private funds to be used for the promotion, marketing, and advertising of the Commonwealth's tourist attractions and locations. Current law dedicates the revenues from the two taxes to the Litter Control and Recycling Fund.

01/13/10 Senate: Referred to Committee on Finance **Position - Monitor**

SB 542 Tax dealer discounts.

Charles J. Colgan

Tax dealer discounts. Eliminates the dealer discounts for the retail sales and use tax, communications sales and use tax, state cigarette tax, E-911 tax, tobacco products tax, tire recycling fee, fuels tax, and motor vehicle fuel sales tax.

01/13/10 Senate: Referred to Committee on Finance **Position - Oppose**

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