



February 6, 2019

We have now passed crossover and are looking to the end of this session on February 23rd. This **2019 VMA Legislative Crossover Report** focuses on 46 priority and defensive priority bills. All 493 bills and budget items that the VMA is monitoring and managing are available for review on our website at <http://vamanufacturers.com/advocacy/key-virginia-legislation/>. The focus for the remaining 17 days of the 2019 legislative session will be on the remaining bills we are monitoring and managing.

The one (1) seat majority in both bodies continues to produce tighter votes on environmental regulation, taxation, energy regulation, workplace regulation, product bans, and manufacturing issues in general.

This session has been dominated by Interstate-81 tolling, machinery and tools taxation reform, workforce development funding, income tax reform, voluntary regulation of firefighting foams with polyfluoroalkyl substances (PFAS) chemistries, and coal ash impoundment regulation. SB966 and HB1558 mandate “clean closure” and recycling involving four (4) coal ash impoundments at Dominion Energy sites in the Chesapeake Bay watershed. These bills will cost an estimated \$3 billion and will be passed along to electric ratepayers as a rate adjustment clause (RAC) beginning in 2019 and continuing for an estimated 15+ years. HB2762 limits the use of PFAS-based firefighting foams to live fires and requires training to be only with “fluorine-free foams.” This is the first proactive PFAS legislation in the United States and done in cooperation with the American Chemistry Council and Virginia Chemistry Council (an affiliate of the VMA). IRC conformity continues its way through the process, but our advocacy for IRC conformity with income tax reductions, and the preservation of deductions for Global Intangible Low Taxed Income (GILTI) and Net Interest, only exist in SB1372. The VMA’s top budget priority is the \$5.5 million in increased funding for the New Economy Workforce Credentials grant program to cover 2/3 of the cost for individuals successfully completing industry credential training and certification at a community college. Unfortunately, our machinery and tools tax reform legislation (HB2640) passed the House Finance Committee but failed to be engrossed by the House which is a parliamentary maneuver that allows the House or Senate leadership to stop a bill before voting on it. This is a disappointing outcome because the VMA wanted a scored vote on this critical bill and we believed that we had a majority to pass it. Finally, I-81 was an epic political battle that began last year with [SB971](#), took us through a year of Commonwealth Transportation Board hearings and working groups, and ended with the defeat of SB1716 and HB2718 as introduced which also ended I-81 tolling for this session.

Last year we began scoring legislation using our [VA MFG Competitiveness Index](#) as a basis for more effectively communicating the importance of specific bills to legislators. We will continue to draw a correlation between the 52 performance indicators that drive a state’s overall competitiveness, the bills from this legislative session, and the votes taken by each legislator.

As *Industry’s Advocate*™ since 1922, the VMA is working aggressively to make Virginia the most competitive state for world-class advanced technology companies to manufacture and headquarter their businesses. Assuring that the Commonwealth’s business climate, workforce, infrastructure, economic strength and innovativeness supports maximum productivity and profitability is central to our mission. Your voice matters, so join us today in letting the Virginia General Assembly know that Manufacturing Makes Virginia!

Sincerely,

Brett A. Vassey

President & CEO



VMA | 2019 VMA Legislative Crossover Report

The advanced technology industries that make up the manufacturing sector are essential to the United States of America and Virginia economies. Due to the global nature of manufacturing, industry is susceptible to the increasing costs of worker training, taxation, energy, and regulation. Virginia's historically pro-business climate is waning, and manufacturers must reinforce the importance of international competitiveness. We must advocate for common sense legislation which supports Virginia's competitive standing. The U.S. and individual states must be vigilant in continually adopting competitive regulations in comparison to competing trading partners because of the mobility of the industry. VMA priorities include:

- **Close the Skills and Career Planning Gaps by 2020**
- **Stop Taxing Technology**
- **Expand MFG Exports 50% by 2025 and Restructure Economic Development**
- **Keep Energy Costs Affordable and Reliable**
- **Invest in Productive Infrastructure**
- **Maintain Regulatory Balance**

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VMA LEGISLATIVE CROSSOVER REPORT OVERVIEW

The 2019 Session of the General Assembly convened on January 9th and adjourns February 23rd. This year is a 45-day General Assembly session. “**Crossover**” marks the halfway point of the session; this deadline dictates that each chamber must complete work on its own bills, except for the budget, and begin to consider only those bills “crossing over” from the other chamber. That milestone was reached on Wednesday, February 6th.

The *VMA Legislative Crossover Report* only provides details on those “Priority and Defensive Priority” bills that are still active. However, members should still review all the “Priority and Defensive Priority” bills by going to <http://www.cqstatetrack.com/texis/statetrack/insession/viewrpt/main.html?event=52f1427a230>. It is a political snapshot of the future as Virginia’s legislature continues to change. Some of our bedrock public policy principles, such as maintaining regulatory balance and restraining local tax authority, are clearly being challenged.

The Virginia Manufacturers Association (VMA) continues to advance its proactive [Virginia Industrial Innovation Strategy](#) in the General Assembly. **The VMA is monitoring and managing 493 bills this session. Of that total, the VMA prioritized 46 “Priority & Defensive Priority Bills” that are included in this report. Their full details, including VMA notes, are only available online.** “Priority” bills are those introduced on our behalf, as part of a coalition to which the VMA belongs and/or directly addresses key priorities outlined in our [2019 Legislative Competitiveness Agenda](#). “Defensive priority” bills are those bills that require amendment or opposition in order to preserve the VMA’s legislative competitiveness agenda.

To provide some context, there have been 2,448 total bills and resolutions introduced in the Senate and House this year. 62% of all bills considered prior to crossover have passed. By comparison, the 2018 session ended with 54% of all bills passing, the 2017 session ended with 62% of all bills passing and the 2016 legislative session ended with 55% of all bills respectively. We have indexed, by topic, the 2019 bills as “Key Legislation” for your review at <http://vamanufacturers.com/advocacy/key-virginia-legislation/>.

As with any organization, team work is critical. The VMA Board of Directors, VMA Committees, VMA Government Affairs Council and key allies make up our team and contribute to our overall success. The VMA is particularly thankful for the Delegates and Senators that are patrons of our legislative proposals as well as several peer organizations, such as the Virginia Retail Federation, the Virginia Trucking Association, the Alliance for Toll Free Interstates, the Virginia Homebuilders Association, and the American Chemistry Council, that have been instrumental in helping to shape our legislative agenda.

For assistance on how to make the most of grass roots advocacy or for more details about VMA’s legislative resources, please contact Kimberly Noonan, VMA Member Services Director, at 804-528-4482 or by email at knoonan@vamanufacturers.com.

2019 VMA LEGISLATIVE CROSSOVER REPORT



Priority & Defensive Priority Bills Only

46 Bills

Number: VA [R] HB 1635 - Updated (Text, Status 01/31/2019)

Sponsor: Del. Sam Rasoul (D-VA)

Title: [Fossil fuel projects moratorium; clean energy mandates.](#)

Status: [VOTE: ENGROSSMENT REFUSED - 01/31/2019](#)

Position: Oppose

Priority: High

Number: VA [R] HB 1718 - Updated (Status 02/07/2019)

Sponsor: Del. R. Lee Ware (R-VA)

Title: [Electric utilities; fuel cost recovery.](#)

Abstract: Electric utilities; fuel cost recovery. Requires an electric utility, as a condition of approval of any request by an electric utility for recovery through its fuel factor of costs incurred under a natural gas capacity contract not previously subject to review in a fuel factor case, to prove by a preponderance of the evidence that, at the time the contract giving rise to the costs for which recovery is sought was executed, the utility had (i) identified and determined the date and amount of new fueling resource it needed; (ii) objectively studied all available alternative fueling resource options, including options other than new capacity contract or contracts to meet the identified and determined need; and (iii) concluded on the basis of such identifications, determinations, and studies that the pipeline capacity contract or contracts were the lowest-cost available option, taking into consideration fixed and variable costs and a reasonable projection of utilization.

Status: [Referred to Committee on Commerce and Labor - 02/06/2019](#)

Position: Monitor

Priority: Medium

Number: VA [R] HB 1754 - Updated (Status 02/06/2019)

Sponsor: Del. Lee Carter (D-VA)

Title: [Digital devices; deactivation or alteration of embedded software.](#)

Abstract: Digital devices; deactivation or alteration of embedded software. Prohibits the original equipment manufacturer of a digital device from deactivating embedded software, defined in the bill, in the digital device or altering embedded software to substantially alter the functioning of the digital device as a response to its being repaired by an independent repair provider.

The measure also provides that the original equipment manufacturer of a digital device shall not be liable to an owner of a digital device for any damages resulting from repair or modification to the digital device by an independent repair provider made at the request of the owner.

Status: [Left in Science and Technology - 02/05/2019](#)

Position: Oppose

Priority: High

Number: VA [R] HB 1764 - Updated (Status 02/06/2019)

Sponsor: Del. Lee Carter (D-VA)

Title: [Government employees; strikes.](#)

Abstract: Strikes by government employees. Repeals the provisions of the Code of Virginia that, among other things, provide that any employee of the Commonwealth, a locality, or other political subdivision who strikes or willfully refuses to perform the duties of his employment is deemed to have terminated his employment and is thereafter ineligible for employment.

Status: [Left in General Laws - 02/05/2019](#)

Position: Oppose

Priority: High

Number: VA [R] HB 1806 - Updated (Status 02/06/2019)

Sponsor: Del. Lee Carter (D-VA)

Title: [Right to work; union shops and agency shops.](#)

Abstract: Right to work; union shops and agency shops. Repeals the provisions of the Code of Virginia that, among other things, prohibit any agreement or combination between an employer and a labor union or labor organization whereby (i) nonmembers of the union or organization are denied the right to work for the employer, (ii) membership to the union or organization is made a condition of employment or continuation of employment by such employer, or (iii) the union or organization acquires an employment monopoly in any such enterprise. The measure also authorizes a collective bargaining agreement to provide for an agency shop or a union shop.

Status: [Left in Commerce and Labor - 02/05/2019](#)

Position: Oppose

Priority: High

Number: VA [R] HB 1880 - Updated (Status 02/06/2019)

Sponsor: Del. Mark Keam (D-VA)

Title: [State environmental boards; appointment of members.](#)

Abstract: State environmental boards; appointment of members. Changes the composition of the Air Pollution Control Board, the Waste Management Board, and the State Water Control Board from appointment exclusively by the Governor to the following: two members appointed by the Governor; two members appointed by the Senate Committee on Rules from a list recommended by the Senate Committee on Agriculture, Conservation and Natural Resources; and three members appointed by the Speaker of the House from a list recommended by the House Committee on Agriculture, Chesapeake and Natural Resources. The appointing authority shall appoint members for the unexpired term upon a vacancy other than by expiration of a term.

Status: [Left in Agriculture, Chesapeake and Natural Resources - 02/05/2019](#)

Position: Amend

Priority: High

Number: VA [R] HB 1908 - Updated (Text, Status 01/31/2019)

Sponsor: Del. Schuyler VanValkenburg (D-VA)

Title: [Sixth grade science; Department of Education, et al., shall update curriculum.](#)

Abstract: Department of Environmental Quality; Department of Education; sixth grade science curriculum. Directs the Department of Environmental Quality and the Department of Education to update the ""Window into a Green Virginia"" curriculum developed by the Departments for sixth grade science to include a unit on the benefits, including the energy benefits, of recycling and reuse.

Status: [VOTE: DEFEATED - 01/29/2019](#)

Position: Support

Priority: High

Number: VA [R] HB 1920 - Updated (Status 02/06/2019)

Sponsor: Del. Chris Stolle (R-VA)

Title: [New Economy Workforce Credential Grant Fund and Program; grant priority.](#)

Abstract: New Economy Workforce Credential Grant Fund and Program; grant priority. Requires the State Council of Higher Education for Virginia, in awarding grants pursuant to the New Economy Workforce Credential Grant Program, to give priority to institutions that offer noncredit workforce training programs in high-demand fields in which employer demand is currently unmet by the available workforce.

Status: [Referred to Committee on Education and Health - 02/05/2019](#)

Position: Amend

Priority: High

Number: VA [R] HB 1966 - Updated (Text, Status 02/06/2019)

Sponsor: Del. David Yancey (R-VA)

Title: [Uniform Statewide Building Code; issuance of building permits.](#)

Abstract: Uniform Statewide Building Code; issuance of building permits. Requires local building departments, when denying an application for the issuance of a building permit, to provide to the applicant a written explanation detailing the reasons for which the application was denied. The bill provides that the applicant may submit a revised application addressing the reasons for which the application was previously denied and that, if the applicant does so, the local building department shall limit its review of the revised application to only those portions of the application that were previously deemed inadequate and that the applicant has revised.

Status: [Referred to Committee on General Laws and Technology - 02/05/2019](#)

Position: Support

Priority: Medium

Number: VA [R] HB 2018 - Updated (Status 02/05/2019)

Sponsor: Del. Christopher Peace (R-VA)

Title: [Career and Technical Education Work-Based Learning Guide; Bd of Education shall review and revise](#)

Abstract: Board of Education; Career and Technical Education Work-Based Learning Guide. Requires the Board of Education to review and revise, in consultation with certain stakeholders and no later than December 1, 2019, its Career and Technical Education Work-Based Learning Guide to expand the

opportunities available for students to earn credit for graduation through high-quality work- based learning experiences such as job shadowing, mentorships, internships, and externships.

Status: [Referred to Committee on Education and Health - 01/30/2019](#)

Position: Support

Priority: Low

Number: VA [R] HB 2062 - Updated (Status 02/06/2019)

Sponsor: Del. Betsy Carr (D-VA)

Title: [Ground water management; defines human consumption.](#)

Abstract: 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.

Status: [Left in Agriculture, Chesapeake and Natural Resources - 02/05/2019](#)

Position: Oppose

Priority: High

Number: VA [R] HB 2063 - Updated (Status 02/06/2019)

Sponsor: Del. Betsy Carr (D-VA)

Title: [Ground water withdrawals; waste.](#)

Abstract: 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.

Status: [Left in Agriculture, Chesapeake and Natural Resources - 02/05/2019](#)

Position: Oppose

Priority: High

Number: VA [R] HB 2064 - Updated (Status 02/06/2019)

Sponsor: Del. Betsy Carr (D-VA)

Title: [Ground water withdrawals; allocation.](#)

Abstract: 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 ...

Status: [Left in Agriculture, Chesapeake and Natural Resources - 02/05/2019](#)

Position: Oppose

Priority: High

Number: VA [R] HB 2105 - Updated (Text, Status 01/31/2019)

Sponsor: Jennifer Carroll Foy

Title: [Coal combustion residuals; Chesapeake Bay watershed; closure.](#)

Status: [Tabled in Agriculture, Chesapeake and Natural Resources - 01/30/2019](#)

Position: Oppose

Priority: High

Number: VA [R] HB 2159 - Updated (Status 02/06/2019)

Sponsor: Del. Kenneth Plum (D-VA)

Title: [Plastic Pollution Prevention Advisory Council; established.](#)

Abstract: 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.

Status: [Left in Rules - 02/05/2019](#)

Position: Oppose

Priority: High

Number: VA [R] HB 2180 - Updated (Status 02/07/2019)

Sponsor: Del. Nick Rush (R-VA)

Title: [Semiconductor Manufacturing Grant Fund; created.](#)

Abstract: Semiconductor Manufacturing Grant Fund; creation. Creates the Semiconductor Manufacturing Grant Fund for the award of grants to a qualified semiconductor manufacturing company that makes a capital investment of at least \$2.98 billion in a qualified locality and creates and maintains at least 1,106 new jobs with an average annual wage of at least \$92,000. Such a qualified company would be eligible to receive a grant of \$50 million in fiscal year 2020 and a grant of \$20 million in fiscal year 2021, subject to total or partial recapture if the qualified company does not meet the performance metrics agreed to in a memorandum of understanding with the Commonwealth.

Status: [Constitutional reading dispensed - 02/06/2019](#)

Position: Support

Priority: High

Number: VA [R] HB 2330 - Updated (Status 02/06/2019)

Sponsor: Del. Mark Keam (D-VA)

Title: [Environmental Justice Advisory Council; established.](#)

Abstract: 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.

Status: [Left in Rules - 02/05/2019](#)

Position: Oppose

Priority: High

Number: VA [R] HB 2362 - Updated (Status 02/07/2019)

Sponsor: Del. S. Chris Jones (R-VA)

Title: [Advanced Shipbuilding Production Facility Grants; grant availability dates.](#)

Abstract: Advanced Shipbuilding Production Facility Grants; grant availability dates.

Advances the period during which grants shall be available under the Advanced Shipbuilding Production Facility Grant Program to fiscal years 2021 to 2025. Under current law, such grants shall be available during fiscal years 2023 to 2027. The grants provided may not exceed \$40 million in the aggregate and are subject to appropriation by the General Assembly.

Status: [Constitutional reading dispensed - 02/06/2019](#)

Position: Support

Priority: High

Number: VA [R] HB 2391 - Updated (Status 02/07/2019)

Sponsor: Del. Alfonso Lopez (D-VA)

Title: [Landfills; waste disposal fee, deposits into the Greenhouse Gas Fund.](#)

Abstract: The bill allows the facility's owner or operator to retain 10 percent of the fees collected for administrative expenses and requires the facility's owner or operator to remit the remainder on a quarterly basis to the Department of Environmental Quality (the Department) for deposition in the Greenhouse Gas Fund (the Fund), created by the bill. The bill provides that the Director of the Department shall, after considering recommendations from the Solid Waste Management Board (the Board), expend moneys in the Fund on promoting the reduction in the emission of greenhouse gases in the Commonwealth, including methane and other gases that are emitted from landfills, and on supporting efforts to counter the effects of climate change.

The bill provides that five percent of the Fund may be spent on ...

Status: [Left in Agriculture, Chesapeake and Natural Resources - 02/05/2019](#)

Position: Oppose

Priority: High

Number: VA [R] HB 2394 - Updated (Status 02/06/2019)

Sponsor: Del. Alfonso Lopez (D-VA)

Title: [Product safety; flame retardants, penalty.](#)

Abstract: Product safety; flame retardants; regulations; fund; civil penalty. Prohibits the

manufacture or sale in the Commonwealth, beginning July 1, 2020, of upholstered furniture intended for residential use or any product that is intended to come into close contact with a person younger than 12 years of age if such upholstered furniture or product contains any flame-retardant chemical listed in the bill. The bill requires the manufacturer of any prohibited product to notify sellers of the prohibition by March 31, 2020 and requires a manufacturer to recall by that date any products that it has sold in violation of the prohibition. Casual or isolated sales of previously owned products containing the listed chemicals are exempted from the prohibition.

The bill subjects any manufacturer in the ...

Status: [Left in Agriculture, Chesapeake and Natural Resources - 02/05/2019](#)

Position: Oppose

Priority: High

Number: VA [R] HB 2395 - Updated (Status 02/07/2019)

Sponsor: Del. Alfonso Lopez (D-VA)

Title: [Hazardous Waste Site Inventory; DEQ to compile and update at least annually.](#)

Abstract: Hazardous Waste Site Inventory. Requires the Department of Environmental Quality (the Department) to compile by July 1, 2020, to update at least annually thereafter, and to post to its website a Hazardous Waste Site Inventory (the Inventory). The Inventory shall be a current listing of sites permitted by or in corrective action under the Department at which the disposal of hazardous waste not otherwise excluded from regulation has occurred, providing specific information about each site.

Status: [Referred to Committee on Agriculture, Conservation and Natural Resources - 02/06/2019](#)

Position: Amend

Priority: High

Number: VA [R] HB 2477 - Updated (Status 02/07/2019)

Sponsor: Del. Terry Kilgore (R-VA)

Title: [Electric utilities; licensed retail suppliers.](#)

Abstract: Electric utilities; licensed retail suppliers. Provides that customers of an incumbent electric utility that is required to obtain capacity for all load and expected load growth in its service area shall, if they that purchase energy from a supplier licensed to sell retail electric energy within the Commonwealth, continue to pay their incumbent electric utility for the non- fuel generation capacity and transmission related costs incurred by the incumbent electric utility in order to meet such customers' capacity obligations. The measure provides that the advance written notice period applicable to such customers shall be three years. The measure requires each licensed retail supplier serving customers of Appalachian Power to file annual reports with the Commission and provides that the ...

Status: [Referred to Committee on Commerce and Labor - 02/06/2019](#)

Position: Support

Priority: Medium

Number: VA [R] HB 2524 - Updated (Status 02/06/2019)

Sponsor: Del. Ronnie Campbell (R-VA)

Title: [Nonpayment of wages; private action.](#)

Abstract: Nonpayment of wages; private action. Provides that an employee has a private cause of action against an employer who fails to pay wages. The measure provides that if the court finds that the employer knowingly failed to pay the wages, it shall also award the employee reasonable attorney fees and other costs. If the court finds that the employer's failure to pay wages was willful and with intent to defraud the employee, the court shall award the employee reasonable attorney fees and other costs plus an additional sum equal to treble the amount of wages due.

Status: [Left in Courts of Justice - 02/05/2019](#)

Position: Oppose

Priority: Medium

Number: VA [R] HB 2529 - Updated (Status 02/07/2019)

Sponsor: Del. Timothy Hugo (R-VA)

Title: [Income tax, state; itemization, standard deduction.](#)

Abstract: Individual income tax; itemization; standard deduction. Deconforms the Commonwealth's tax code from the provisions of the federal Tax Cuts and Jobs Act (TCJA) that limit the deduction for state and local taxes. The bill establishes an income tax subtraction starting in taxable year 2018 for Global Intangible Low-Taxed Income (GILTI).

Status: [Referred to Committee on Finance - 02/06/2019](#)

Position: Amend

Priority: High

Number: VA [R] HB 2539 - Updated (Status 01/31/2019)

Sponsor: Del. Kathy Byron (R-VA)

Title: [Worker retraining tax credit; sunset date, worker training investment tax credit.](#)

Abstract: Sunset date for worker retraining tax credit; worker training investment tax credit. Advances the sunset date of the worker retraining tax credit from January 1, 2022, to January 1, 2019, and creates the worker training investment tax credit to replace it beginning with taxable year 2019. The worker training investment tax credit is a modification of the worker retraining tax credit. Credit is allowed to businesses who provide (i) eligible worker training, defined in the bill, or (ii) manufacturing instruction to students. The provisions relating to manufacturing instruction are identical to those in the expiring worker retraining tax credit.

Status: [Referred to Committee on Finance - 01/28/2019](#)

Position: Support

Priority: Low

Number: VA [R] HB 2545 - Updated (Text, Status 01/31/2019)

Sponsor: Del. Kathy Byron (R-VA)

Title: [Workforce Development, Secretary of; created.](#)

Abstract: Secretary of Workforce Development created. Creates in the Governor's cabinet the position of Secretary of Workforce Development (the Secretary). The bill removes the position of Chief Workforce Development Advisor and reassigns that position's responsibilities to the Secretary.

Status: [Referred to Committee on Appropriations - 01/29/2019](#)

Position: Support

Priority: Medium

Number: VA [R] HB 2611 - Updated (Status 02/05/2019)

Sponsor: Del. Charles Poindexter (R-VA)

Title: [Regional Greenhouse Gas Initiative; prohibition on participation by Commonwealth.](#)

Abstract: 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.

Status: [Referred to Committee on Agriculture, Conservation and Natural Resources - 01/30/2019](#)

Position: Support

Priority: High

Number: [VA \[R\] HB 2640](#) - Updated (Status 02/05/2019)

Sponsor: Del. Kathy Byron (R-VA)

Title: [Machinery and tools tax; definition of original total capitalized cost.](#)

Abstract: Machinery and tools tax; definition of original total capitalized cost. Provides that, for purposes of the machinery and tools tax, ""original total capitalized cost,"" which is used to calculate assessed value, means the property's cost when acquired by the current owner plus any amount incurred to extend its useful life. If the property was not acquired in an arm's-length transaction, the prior owner's original total capitalized cost is used. Acquisitions are presumed to be arm's-length unless the current owner bought the property from an affiliate.

Status: [Engrossment refused by House - 02/04/2019](#)

Position: Support

Priority: High

Number: [VA \[R\] HB 2700](#) - Updated (Status 01/31/2019)

Sponsor: Del. Robert Orrock (R-VA)

Title: [Income tax, corporate; subtraction for amount of Global Intangible Low-Taxed Income.](#)

Abstract: Corporate income tax subtraction; Global Intangible Low-Taxed Income. Establishes a subtraction in computing Virginia taxable income for Global Intangible Low-Taxed Income that is included in a corporation's federal taxable income.

Status: [Tabled in Finance - 01/28/2019](#)

Position: Support

Priority: High

Number: [VA \[R\] HB 2701](#) - Updated (Status 02/06/2019)

Sponsor: Del. Robert Orrock (R-VA)

Title: [Income tax, corporate; subtraction for amount of business interest.](#)

Abstract: Corporate income tax subtraction; business interest. Establishes a subtraction from a corporation's Virginia taxable income for business interest that is disallowed as a deduction from federal taxable income by § 163(j) of the Internal Revenue Code.

Status: [Left in Finance - 02/05/2019](#)

Position: Support

Priority: Medium

Number: [VA \[R\] HB 2718](#) - Updated (Status 02/07/2019)

Sponsor: Del. R. Steven Landes (R-VA)

Title: [Interstate 81; Interstate 81 Corridor Improvement Fund created.](#)

Abstract: Interstate 81; Interstate 81 Corridor Improvement Fund. Creates the Interstate 81 Corridor Improvement Fund. Any revenues deposited in the Fund would be allocated for improvements to the Interstate 81 Corridor. The bill also directs the Commonwealth Transportation Board (Board) would develop and update, in consultation with an Interstate 81 Committee (Committee) established by the bill, to develop an Interstate 81 Corridor Improvement Program. The Committee is also directed to review the Interstate 81 Corridor Improvement Plan adopted by the Board in December 2018, as it relates to funding options and make recommendations to the Governor and the General Assembly regarding funding recommendations and prioritization of projects.

Status: [Referred to Committee on Transportation - 02/06/2019](#)

Position: Support as Amended

Priority: High

Number: VA [R] HB 2735 - Updated (Status 02/06/2019)

Sponsor: Del. David Toscano (D-VA)

Title: [Virginia Coastal Protection Act; recasts Va. Shoreline Resiliency Fund.](#)

Abstract: 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 ...

Status: [Left in Commerce and Labor - 02/05/2019](#)

Position: Oppose

Priority: High

Number: VA [R] HB 2762 - Updated (Status 02/06/2019)

Sponsor: Del. David Bulova (D-VA)

Title: [Firefighting foam management; use of foam that contains PFAS chemicals.](#)

Abstract: Firefighting foam management. Prohibits, beginning July 1, 2021, the use for training purposes or for testing, with some exceptions, of a class B firefighting foam that contains intentionally added PFAS chemicals, as defined in the bill.

Status: [Referred to Committee on General Laws and Technology - 02/05/2019](#)

Position: Support

Priority: High

Number: VA [R] HB 2786 - Updated (Status 02/07/2019)

Sponsor: Del. Riley Ingram (R-VA)

Title: [Coal combustion residuals impoundment; closure of certain CCR units.](#)

Abstract: Coal combustion residuals impoundment; 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, within the Chesapeake Bay watershed at Bremo Power Station, Chesapeake Energy Center, Chesterfield Power Station, and Possum Point Power Station to close such CCR unit by removing all of the CCR for (i) recycling for beneficial use or (ii) deposition in a permitted and lined landfill that meets certain federal standards. The measure requires that any owner or operator beneficially reuse no less than 6.8 million cubic yards in aggregate of such removed CCR from no fewer than two of the sites. Such a closure project shall be completed within 15 years of its initiation and shall be accompanied by an offer by the ...

Status: [Referred to Committee on Commerce and Labor - 02/06/2019](#)

Position: Amend

Priority: High

Number: VA [R] HJ 724 - Updated (Status 02/06/2019)

Sponsor: Del. Sam Rasoul (D-VA)

Title: [Green New Deal; recognizing need for clean energy economy.](#)

Abstract: Green New Deal; Recognizing the need for a Green New Deal in Virginia which promotes a Just Transition to a clean energy economy through lifting working families. States that the General Assembly supports the movement Green New Deal Virginia, focused on retooling the Commonwealth's economy with solutions that center on equity and justice.

Status: [Left in Commerce and Labor - 02/05/2019](#)

Position: Oppose

Priority: High

Number: VA [R] SB 1099 - Updated (Status 02/05/2019)

Sponsor: Sen. Bill DeSteph (R-VA)

Title: [DGS; guidance to state public bodies regarding purchases of materials made in the United States.](#)

Abstract: Department of General Services; guidance to state public bodies regarding purchases of materials made in the United States. Directs the Department of General Services to develop and maintain a guidance document assisting state public bodies to purchase (i) iron and steel that are made in the United States and (ii) manufactured goods with at least 50 percent of the constituent parts and materials originating in the United States.

Status: [Assigned GL sub: Subcommittee #4 - 02/04/2019](#)

Position: Amend

Priority: Medium

Number: VA [R] SB 1355 - Updated (Status 02/06/2019)

Sponsor: Sen. Frank Wagner (R-VA)

Title: [Coal combustion residuals impoundment; closure of certain CCR units.](#)

Abstract: Coal combustion residuals impoundment; 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, within the Chesapeake Bay watershed at Bremo Power Station, Chesapeake Energy Center, Chesterfield Power Station, and Possum Point Power Station 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. The measure requires that any owner or operator beneficially reuse no less than 6.8 million cubic yards in aggregate of such removed CCR from no fewer than two of the sites. Such a closure project shall be completed within 15 years.

Status: [Passed Senate - 02/05/2019](#)

Position: Amend

Priority: High

Number: VA [R] SB 1372 - Updated (Status 02/06/2019)

Sponsor: Sen. Thomas Norment (R-VA)

Title: [Commonwealth's taxation system; conformity with the Internal Revenue Code.](#)

Abstract: Virginia income tax; conformity of the Commonwealth's taxation system with the Internal Revenue Code. Advances conformity of the Commonwealth's tax code with the federal tax code to December 31, 2018. The provides for a refund, in addition to any refund for the overpayment of taxes, of up to \$110 for individuals, and \$220 for married persons filing a joint return, for those whole filed tax returns by July 1, 2019. The refund would be issued in October 2019. Any additional revenues generated by federal tax change beyond that necessary to issue the refunds will be deposited into a nonreverting fund to be used for future tax reform items. For taxable years beginning on and after January 1, 2018, the bill would extend the existing corporate income tax subtraction for foreign income.

Status: [Referred to Committee on Finance - 02/06/2019](#)

Position: Support

Priority: High

Number: VA [R] SB 1392 - Updated (Text, Status 01/26/2019)

Sponsor: Sen. Frank Wagner (R-VA)

Title: [Standards of Achievement Career and Technical Education Committee; established, report.](#)

Abstract: Standards of Achievement Career and Technical Education Committee; established. Directs the Board of Education to establish the Standards of Achievement Career and Technical Education Committee (Committee) to make recommendations to the General Assembly and the Board of Education to facilitate the development of career and technical education Standards of Achievement, including accreditation standards, assessment testing, and course content and curriculum for participating schools, with a focus on (i) rigorous standards and course content and curriculum that align workforce skills with industry-recognized standards; (ii) robust business and industry engagement and responsiveness to labor market needs; (iii) strategies to remove the stigma from career and technical education.

Status: [Stricken at request of patron in Education and Health - 01/24/2019](#)

Position: Support

Priority: High

Number: VA [R] SB 1561 - Updated (Status 02/07/2019)

Sponsor: Sen. Lynwood Lewis (D-VA)

Title: [Sixth grade science; Department of Education, et al., shall update curriculum.](#)

Abstract: Department of Education; sixth grade science curriculum. Directs the Department of Education to coordinate with the Department of Environmental Quality to update the "Window into a Green Virginia" curriculum developed by the Departments for sixth grade science to include a unit on the benefits, including the energy benefits, of recycling and reuse.

Status: [Passed Senate - 02/05/2019](#)

Position: Support

Priority: High

Number: VA [R] SB 1642 - Updated (Status 02/06/2019)

Sponsor: Sen. Jennifer Boysko (D-VA)

Title: [Cosmetics; animal testing prohibited, penalty.](#)

Abstract: Cosmetics animal testing products; prohibition; penalty. Prohibits a cosmetics manufacturer from selling a cosmetic for which such manufacturer or a cosmetics supplier conducted or contracted for a cosmetics animal test, defined in the bill, with certain exceptions. The bill also authorizes any retailer found to be selling a cosmetic for which a cosmetics animal test was conducted to sell any remaining stock of such product for 180 days after learning that a cosmetics animal test was conducted for the product, but prohibits such retailer from restocking, purchasing, or acquiring any additional inventory of such cosmetic. The bill authorizes the attorney for the Commonwealth in the jurisdiction in which a violation occurs to bring a civil action in the appropriate circuit court for ...

Status: [Assigned ACNR sub: Subcommittee #1 - 02/05/2019](#)

Position: Amend

Priority: Low

Number: VA [R] SB 1695 - Updated (Status 01/31/2019)

Sponsor: Sen. Frank Wagner (R-VA)

Title: [Public utilities; acquisition of rights-of-way for economic development sites.](#)

Abstract: Public utilities; acquisition of rights-of-way for economic development sites. Authorizes a public utility providing water, sewer, electric, or natural gas service to propose an Economic Development Program (Program) under which it may acquire utility right-of-way for one or more qualified economic development sites. A proposal for a Program is required to include an analysis of how acquiring the rights-of-way will enhance the Commonwealth's infrastructure and promote the Commonwealth's competitive business environment by improving the readiness of a qualified economic development site. The measure establishes criteria for the Virginia Economic Development Partnership Authority to certify that a site is a qualified economic development site. The State Corporation Commission (SCC) is ...

Status: [Referred to Committee on Commerce and Labor - 01/29/2019](#)

Position: Amend

Priority: High

Number: VA [R] SB 1697 - Updated (Text, Status 01/31/2019)

Sponsor: Sen. A. Benton Chafin (R-VA)

Title: [Income tax, corporate; subtraction for amount of business interest.](#)

Abstract: Corporate income tax subtraction; business interest. Establishes a subtraction from a

corporation's Virginia taxable income for business interest that is disallowed as a deduction from federal taxable income by § 163(j) of the Internal Revenue Code.

Status: [Passed by indefinitely in Finance - 01/30/2019](#)

Position: Support

Priority: Medium

Number: **VA [R] SB 1698** - Updated (Text, Status 01/31/2019)

Sponsor: Sen. A. Benton Chafin (R-VA)

Title: [Income tax, corporate; subtraction for amount of Global Intangible Low-Taxed Income.](#)

Abstract: Corporate income tax subtraction; Global Intangible Low-Taxed Income. Establishes a subtraction in computing Virginia taxable income for Global Intangible Low-Taxed Income that is included in a corporation's federal taxable income.

Status: [Passed by indefinitely in Finance - 01/30/2019](#)

Position: Support

Priority: High

Number: **VA [R] SB 1716** - Updated (Status 02/07/2019)

Sponsor: Sen. Mark Obenshain (R-VA)

Title: [Interstate 81; tolling, Interstate 81 Corridor Improvement Fund.](#)

Abstract: Interstate 81; Interstate 81 Corridor Improvement Fund. Creates the Interstate 81 Corridor Improvement Fund. Any revenues deposited in the Fund would be allocated for improvements to the Interstate 81 Corridor. The bill also directs the Commonwealth Transportation Board (Board) would develop and update, in consultation with an Interstate 81 Committee (Committee) established by the bill, to develop an Interstate 81 Corridor Improvement Program. The Committee is also directed to review the Interstate 81 Corridor Improvement Plan adopted by the Board in December 2018, as it relates to funding options and make recommendations to the Governor and the General Assembly regarding funding recommendations and prioritization of projects.

Status: [Passed Senate - 02/05/2019](#)

Position: Support as Amended

Priority: High

Number: **VA [R] SB 1724** - Updated (Text 02/05/2019)

Sponsor: Sen. Thomas Norment (R-VA)

Title: [Employment records; written request from employee, subpoena duces tecum.](#)

Abstract: Employment records; written request from employee; subpoena duces tecum; penalty for failure to provide. Provides that an employer shall furnish a copy of certain employment records or papers within 30 days of receipt of a written request of a current or former employee or employee's attorney. The bill provides that the employer may charge a reasonable fee to comply with such a request. The bill further provides that a subpoena duces tecum may be issued upon the failure of an employer to comply with such a written request and that if the court finds that an employer willfully refused to comply with such a written request, as outlined in the bill, the court may award damages for all expenses incurred by the employee.

Status: [Referred to Committee for Courts of Justice - 02/04/2019](#)

Position: Monitor

Priority: Medium