

Capitol Contact

Virginia General Assembly

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Tuesday, January 23, 2018

Communications Sales and Use Tax Bill to be Heard Tomorrow in Subcommittee

[HB 1051 \(Watts\)](#), legislation that modernizes the Communications Sales and Use Tax (CSUT) to reflect the present-day telecommunications world, will be heard tomorrow afternoon in the [House Finance Committee's Subcommittee #2](#).

Action Required – Contact [Subcommittee Members](#) today and express your support for HB 1051. VACo detailed the need to innovate the “typewriter tax” in a recent [County Connections article](#).

TALKING POINTS

- The bill updates the CSUT by removing the exemptions for audio and streaming services, and prepaid calling services.
- Elimination of these exemptions was identified by a Department of Taxation [study](#) (mandated by the General Assembly) in 2015 as a way to stabilize declining revenues and remove the “competitive disadvantage” they place on providers of similar service, such as cable television and post-paid calling services.

KEY CONTACTS

[House Finance Committee's Subcommittee #2](#): [Hugo \(Chairman\)](#), [Pogge](#), [Cline](#), [Fariss](#), [Bloxom](#), [Watts](#), [Sullivan](#), [Ayala](#), [Ware](#)

Also, please adopt a resolution showing your support. [Here's a template of a resolution](#) counties may use. Send a copy of your resolutions to Dean Lynch at dlynch@vaco.org.

VACo Contacts: [Joe Lerch, AICP](#) and [Katie Boyle](#)

VACo Supports Local-Option Tax Incentive for Larger Industrial-Scale Solar Installations

[SB 902 \(Lucas\)](#) makes it a local option to provide a property tax exemption for solar facilities greater than 100 Megawatts (MW) in electric generating capacity. Under current law such facilities greater than 20 MW in generation capacity are provided a mandatory 80 percent exemption from local property tax.

Action Required – Please call [Senate Finance Committee](#) Members now to Support SB 902. The bill will be heard in the Committee tomorrow morning.

TALKING POINTS

- Solar facilities generating greater than 100 MW in generating capacity typically occupy more than one square mile in land, and are in effect large-scale power plants with oversized footprints.
- In 2017, the General Assembly increased from 100 to 150 MW the allowable size for an expedited state permitting process for solar facilities. Since the law became effective July 1, 2017, seven projects greater than 100 MW totaling more than 11 square miles, have applied for the expedited process.
- This bill allows localities, at their discretion, to provide a tax incentive for these larger installations.

KEY CONTACTS

Senate Finance Committee: [Norment \(Co-Chair\)](#), [Hanger \(Co-Chair\)](#), [Howell](#), [Saslaw](#), [Lucas](#), [Newman](#), [Ruff](#), [Wagner](#), [McDougle](#), [Vogel](#), [Carrico](#), [Obenshain](#), [Barker](#), [Dunnavant](#), [Stuart](#), [Dance](#)

VACo Contact: [Joe Lerch, AICP](#)

VACo Supports Delegate Bulova's Stormwater Bills

VACo supports two stormwater bills patroned by Delegate David Bulova that have been referred to the [House Agriculture, Chesapeake and Natural Resources Committee](#).

First, [HB 377 \(Bulova\)](#) eliminates the requirement to obtain a Virginia Water Protection Permit from the Department of Environmental Quality (DEQ) when

modifying stormwater management facilities that was created on dry land for the purpose of conveying, treating, or storing stormwater.

Next, [HB 925 \(Bulova\)](#) seeks to make several critical technical amendments to remedy recent stormwater regulatory changes. Specifically, the bill authorizes any locality that owns or operates a permitted municipal separate storm sewer system (MS4) to adopt and administer an industrial and high-risk runoff program. HB 925 limits the ability of the State Water Control Board to impose certain regulatory conditions on any locality that administers such a program (unless it is required to do so by federal law) and prohibits the Board from modifying existing MS4 permits to avoid such limitation. HB 925 also authorizes the Board to require a locality to report an industrial or commercial facility if it becomes aware of a violation of an industrial stormwater management requirement. This initiative was developed with the guidance and support of the Virginia Municipal Stormwater Association (VAMSA).

[HB 377](#) and [HB 925](#) have been placed on the January 24 docket of [House Agriculture, Chesapeake and Natural Resources Committee's Subcommittee #3](#).

VACo Contact: [Chris McDonald, Esq.](#)

Virginia Grocery Investment Fund Reaches Senate Finance Committee

[SB 37 \(Stanley\)](#), the Virginia Grocery Investment Fund and Program bill, has been docketed to be heard in the [Senate Finance Committee](#) on Wednesday, January 24. As highlighted in the [January 15 Capitol Contact](#), SB 37 seeks to leverage public-private partnerships and provide funding for grocery stores, small food retailers, and innovative food retail projects in underserved communities.

The proposed 2019-2020 budget contains \$7.5 million for the Fund. Program developers and advocates estimate that the state's \$7.5 million investment will generate up to \$30 million in private investment and will ultimately affect 1.7 million Virginians (including 480,000 children) who currently live in lower income communities with limited supermarket access.

The House companion bill, [HB 85 \(Bell, Richard\)](#), has been referred to the [House Appropriations Committee](#) but has not yet been docketed.

VACo Members – Contact your [Senate Finance Committee legislators](#) to SUPPORT [SB 37](#). VACo plans to express its support of SB 37 on the floor tomorrow.

VACo Contact: [Chris McDonald, Esq.](#)

FOIA Bill Requires Localities to Waive Fees

VACo opposes [HB 1603 \(Roem\)](#), which requires public bodies to waive the first two hours of search and production of documents for any requestor that files 20 request or less in a 31-day period. The bill also requires that no charge over \$50 may be levied unless the requestor agrees to the higher amount. The bill further mandates that the lowest paid individual must fulfill the request. This bill will likely add additional fiscal and workload strain on localities.

VACo Contact: [Phyllis Errico, Esq., CAE](#)

At-Risk-Add-On Budget Amendment Introduced

Delegates Lashrecse Aird and Israel O’Quinn announced today a bipartisan amendment in support of economically disadvantaged urban and rural school districts. The [amendment](#) seeks to increase the At-Risk-Add-On program by \$64.2 million over the next two years - \$35.7 million in FY 2019 and \$28.5 million in FY 2020. The amendment increases from 13 percent the first year and 14 percent the second year to 18 percent in both years and broadens the applicability of these funds.

The budget amendment has received support from a broad array of stakeholders, including the Virginia Association of School Superintendents (VASS), Virginia School Board Association (VSBA), and Virginia Education Association (VEA).

VACo Contact: [Chris McDonald, Esq.](#)

Senate Commerce and Labor Committee Continues Work on Communications Legislation

On January 22, the [Senate Commerce and Labor Committee](#) met to consider legislation relevant to communications infrastructure. The Committee dealt with legislation that mandates an examination of the current regulatory and statutory processes utilized to identify the location and owners of certain communications infrastructure, as well as the processes for relocating such infrastructure. In addition, the Committee heard legislation to ensure that, by July of 2020, public safety answering points can process requests for emergency assistance sent by text message. For a complete list of Monday’s bills addressed by the Senate Commerce and Labor Committee, please click [here](#).

VACo Contact: [Angela Inglett](#)

Governor Ralph Northam to Speak at VACo County Government Day

February 8, 2018 | Omni Richmond Hotel
[Registration Form](#) | [Register Online](#)

This is our day to advocate for counties at the 2018 General Assembly Session. Join us for VACo County Government Day on Thursday, February 8!

Registration opens at 11 a.m. and the event kicks off with lunch at noon. Governor Ralph Northam will speak on issues that affect counties. VACo staff will provide legislative briefs before inviting all present to meet with their General Assembly representatives that afternoon.

For information on how to reach your representatives, see the [Virginia House of Delegates](#) and the [Senate of Virginia](#) member listings websites. Find information about VACo's positions in the [2018 Legislative Program](#). We will distribute our VACo County Government Day Bulletin at the event.

We encourage all counties to participate in the legislative process - listen to Governor Northam share his vision for how we can work together to advance policies beneficial to Virginia localities. Also hear the VACo Team talk about the issues and then go speak with your representatives about your County's concerns. The VACo County Government Day event should conclude around 1-1:30 p.m.

Register for [VACo County Government Day online](#) or by faxing in a [registration form](#) to 804.788.0083. Register early and get involved in the legislative process.

VACo Contact: [Dean Lynch, CAE](#)

Key Dates for 2018 General Assembly Session

The Joint Rules Committee met on December 18 to adopt the procedural resolution that sets the [schedule](#) for the 2018 General Assembly session. Although the procedural resolution will be considered by the full House and Senate in January, typically it is agreed upon without amendments. Key dates in the procedural resolution are as follows:

- **January 10:** General Assembly convenes at noon. Prefiled legislation must be submitted by 10 a.m.; this is also the last day to file bills dealing with the Virginia Retirement System or legislation creating or continuing a study.

- **January 12:** Budget amendments by General Assembly members must be submitted by 5 p.m.
- **January 19:** All bills must be filed by 3 p.m.
- **February 13:** Crossover (deadline for legislation to pass its chamber of origin)
- **February 18:** The Senate Finance and House Appropriations Committees must report their respective budgets.
- **February 22:** Deadline for each chamber to complete work on its budget
- **March 5:** Deadline for committee action on legislation
- **March 10:** Scheduled adjournment *sine die*
- **April 18:** Reconvened session to consider the Governor's amendments and vetoes

VACo Contact: [Katie Boyle](#)