

Capitol Contact

Virginia General Assembly

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Thursday, February 21, 2019

New Tool for Local Stormwater Management Heads to Governor's Desk

Legislation giving localities a new tool for stormwater management has successfully finished its trek through the General Assembly and now will head to the Governor's desk.

[HB 1614 \(Cole\)](#) and [SB 1248 \(Reeves\)](#) give localities more flexibility in addressing stormwater management needs through the creation of a Local Stormwater Management Fund. The Fund shall be established for granting funds to an owner of private property or a common interest community for stormwater management and erosion prevention on previously developed lands. The legislation 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.

No stormwater program or funding source at the state-level will be affected by this new Fund. In fact, the legislation stipulates that the Fund shall be exclusively comprised of appropriated local moneys.

HB 1614 and SB 1248 saw sweeping support in the House and Senate, as each passed both chambers unanimously. The bills will now head to Governor Ralph Northam for consideration and signing.

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

Elections bills roundup

In addition to measures to [authorize early voting](#) and [reform the redistricting process](#), the General Assembly considered a variety of other measures dealing with elections administration this session. An overview of some of the bills of interest to local governments is provided below.

Removal of general registrars

[HB 2034 \(McGuire\)](#) proposes to change the procedure for removal of a general registrar. Currently, a general registrar may be removed by majority vote of the local electoral board or by a circuit court upon petition by the majority of the State Board of Elections, if the local electoral board refuses to remove the registrar and the State Board finds that failure to remove the registrar has a material adverse effect upon the conduct of the office or an election. Under the bill, a local electoral board would have to file a petition with the circuit court in order to remove a registrar, and the registrar would receive counsel from the state Division of Risk Management for his or her defense. VACo took no position on the bill in its initial hearing; however, VACo became involved in the bill after crossover, when an amendment was added in the Senate Privileges and Elections Committee that would have required the county attorney to provide counsel to the electoral board in proceedings to remove a registrar. Since a county attorney often provides counsel to both the local electoral board and the general registrar, the county attorney would be unable to represent one client (the electoral board) in a proceeding against another (the general registrar); in this scenario, the locality would likely have to bear the costs of contracting for outside counsel. After raising this concern with the patron and interested parties, the patron requested that the amendment be removed on the Senate floor. VACo is grateful to the bill's patron, Delegate John McGuire, and the Chair of the Senate Privileges and Elections Committee, Senator Jill Vogel, for their willingness to address local governments' concerns with the bill.

Misassigned voters

Legislation developed over summer 2018 that was intended to address the issue of misassigned voters failed to report from House Privileges and Elections on February 15, but several bills addressing other aspects of the problem are moving forward. [SB 1102 \(Peake\)](#) would have allowed localities in circumstances where the boundary lines traditionally used by the localities are close to, but not exactly aligned with, the legislative district lines (which are based on Census tracts) to adopt ordinances with the agreed-upon locality boundaries and report them to the Census Bureau and several state entities. The legislative district lines would then conform to the boundary lines agreed upon between the localities. The bill provided for review by the State Board of Elections as well as an "appeals" process for voters who believed they were incorrectly assigned. VACo was part of a group convened by Senator Mark Peake to work on the legislation in summer

2018 and testified in favor of the bill in both its Senate and House hearings. The bill failed over concerns about allowing localities to move legislative lines, and in particular concerns that any movement of Congressional district boundaries would run afoul of requirements that those districts be as exactly equal in population as possible.

[As reported in Capitol Contact this week](#), a pair of bills that address this issue from another angle by making voluntary boundary adjustments easier and less expensive (by allowing the use of GIS maps rather than a full survey) have passed the General Assembly and await action by the Governor. VACo supports these bills.

Two other bills seek to prevent future instances of voter misassignment by providing state assistance with GIS mapping. [SB 1018 \(Chase\)](#), as passed by the Senate, requires localities to review voter assignments for correctness prior to the 2020 general election; the state would provide assistance with the review, including the provision of GIS maps for localities without in-house GIS capability; the Senate has since accepted a substitute conforming the bill to [HB 2760 \(Sickles\)](#), which would require a similar review process in future rounds of local redistricting. Delegate Mark Sickles amended the bill at VACo's request to provide that the state would assist with the development of GIS maps for localities without in-house GIS staff.

Election security

[HB 2178 \(Sickles\)](#) directs the State Board of Elections to promulgate security standards for access to VERIS, the state's voter registration system, and authorizes the state Department of Elections to limit a locality's access to VERIS for failure to comply with security standards. VACo worked with the patron and the Department of Elections to add language to the bill requiring local participation in the development of the security standards as well as ongoing local participation in an advisory committee to consult on updates to security standards. The Senate Privileges and Elections Committee added language requiring legislators to be part of the work group developing the security standards; this amendment is likely to be discussed in a conference committee.

Split precincts

[HJ 591 \(Cole\)](#), a Constitutional amendment specifying that the General Assembly may make technical adjustments to legislative districts subsequent to decennial redistricting in order to fix split precincts, has passed both chambers. VACo has historically supported the ability to address split precincts in this fashion. Another approach, [SB 1087 \(Obenshain\)](#), is likely headed to a conference committee, as was the case last year. SB 1087 would require localities to adjust precinct lines after the General Assembly completes decennial redistricting so that precincts are not split; a locality could apply to the State Board of Elections for a waiver to operate a split precinct if it was unable to adjust precinct lines to

avoid splitting the precinct. VACo has expressed concerns about the feasibility of this approach, as many localities cannot wait for the General Assembly to complete its redistricting process to start redistricting at the local level.

June primary date

[HB 1615 \(Landes\)](#) and [SB 1243 \(Reeves\)](#), which would have delayed the June primary from the second to the third Tuesday in June, were both defeated on the Senate floor.

VACo Contact: [Katie Boyle](#)

Troubling procurement bills dead for the year

Troubling procurement-related legislation is effectively dead for the year after each failed to advance out of the House Appropriations Committee.

[HB 1667 \(Kilgore\)](#) and [SB 1369 \(Norment\)](#) attempted to amend the Virginia Public Procurement Act to significantly limit the timeframe during which a public body could bring an action on a construction contract or against a surety on a performance bond. Specifically, the bills prohibit legal action on any construction contract unless such action (1) is brought within five years of completion of the work; (2) in the case of latent defects, is brought within five years of discovery of a latent defect but not more than 10 years from completion of the work; or (3) in the case of a warranty in such a construction contract, is brought no more than one year after the expiration of such warranty.

These bills represent a sweeping change to the status quo, and given their effect on the Public Procurement Act, would affect everyone from state agencies, and in particular the Department of General Services (DGS), to institutions of higher education, and from county governments to local school boards.

While SB 1369 initially fared well on the Senate side, the bill met the [same fate as HB 1667](#) on the House side and failed to advance out of the House Appropriations Committee's General Government and Capital Outlay Subcommittee.

While these two bills have effectively been killed for the year in their legislative forms, the idea will likely survive the 2019 General Assembly session via the budget. The House included in their budget bill language that requires DGS, with oversight from the Joint Legislative Audit and Review Commission (JLARC), to review the statute of limitations policy on state contracts for construction services. Language also requires DGS to consult with governmental bodies and representatives from the private sector construction community. DGS will report

its finding and recommendations before the next session so we can address this issue properly.

VACo will continue to monitor this issue and looks forward to participating in the DGS-led study being conducted later this year.

VACo Contacts: [Chris McDonald, Esq.](#) and [Phyllis Errico, Esq., CAE](#)

School Safety Committee and Workgroup recommended bills status

Prior to the beginning of session, the House Select Committee on School Safety and Governor Northam's Workgroup on Student Safety reviewed the state of student safety in Virginia's schools and made their respective recommendations [here](#) and [here](#). Multiple pieces of legislation were filed in line with these recommendations.

The following is a list of some of the most impactful bills:

[HB 1729 \(Landes\)](#) requires each school counselor employed by a school board in a public elementary or secondary school to spend at least 80 percent of his staff time during normal school hours in the direct counseling of individual students or groups of students. This increases the amount of time school counselors currently are required to spend in direct counseling and may require local school divisions to employ additional staff to cover duties previously assumed by school counselors. VACo has expressed concerns about local fiscal impact. The bill advanced through both the House and Senate unanimously and awaits action by the Governor.

[HB 2053 \(McQuinn\)](#) / [SB 1406 \(Dance\)](#) originally required school boards to employ school counselors in accordance with a series of decreasing ratios with the ultimate goal that by the 2021-2022 school year, the ratio will be one full-time school counselor for every 250 students at each level of elementary, middle, and high school. Both bills have been amended to stipulate counselor to student ratios of 375:1 at the elementary school level, 325:1 at the middle school level, and 300:1 at the high school level. The House version of the bill also contains several enactment clauses tying the final ratio of counselors to available funding in the state budget. Though reducing the ratio of school counselors in the Standards of Quality will increase state direct aid to education and the Governor has accounted for this in his budget proposals, local matching funds will still be required if these bills are enacted in school divisions that have existing staffing ratios higher than those stipulated.

[HB 1615 \(Landes\)](#) would have changed the date of the June primary election from the second Tuesday in June to the third Tuesday in June, as well as amending

candidate filing deadlines. The bill was defeated in the Senate on a vote of 11-28 on February 15.

[HB 1752 \(Krizek\)](#) would have made the November election day a public student holiday. The bill was passed by indefinitely by Senate Education and Health on a vote of 11-4 on February 14.

[HB 1725 \(Knight\)](#) requires each school board, in consultation with the local building official and the state or local fire marshal, to develop a procurement plan to ensure that all security enhancements to public school buildings are in compliance with the Uniform Statewide Building Code and Statewide Fire Prevention Code. The bill passed the House and Senate unanimously and awaits action by the Governor.

[HB 1732 \(O'Quinn\)](#) / [SB 1215 \(Newman\)](#) require each public elementary and secondary school principal to develop and deliver to each student and employee in the school at least once annually training on safety procedures in the event of an emergency situation on school property. The Virginia Board of Education is required to develop guidelines for the development and delivery of this training. The bills passed the House and Senate unanimously, and the Senate version was approved by the by the Governor on February 19.

[HB 1733 \(Gilbert\)](#) requires the school board in each school division in which the local law-enforcement agency employs school resource officers to enter into a memorandum of understanding (MOU) with such local law-enforcement agency that sets forth the powers and duties of the school resource officers. The bill requires each such school board and local law-enforcement agency to review and amend or affirm the memorandum at least once every five years or at any time upon request of either party. The bill has been sent to Conference Committee.

[HB 1738 \(Rush\)](#) requires the architect or engineer who provides the required statement to accompany a local school superintendent's approval on all plans for new or remodeled public-school building construction to be trained and experienced in crime prevention through environmental design. The bill passed the House and Senate unanimously and awaits action by the Governor.

[SB 1213 \(Newman\)](#) requires the Virginia Center for School and Campus Safety to develop a case management tool for use by public elementary and secondary school threat assessment teams and require such threat assessment teams to use such tool to collect and report to the Center quantitative data on its activities. The Governor's introduced budget includes approximately \$700,000 to develop this tool and support a full-time staff position responsible for providing training. The bill passed the Senate and House unanimously and was approved by the by the Governor on February 19.

VACo Contact: [Jeremy Bennett](#)

Bill adding flexibility to local TDR programs passes

Under existing law any locality may adopt a transfer of development rights (TDRs) ordinance. The employment of TDRs is a zoning technique used to protect farmland and other natural and cultural resources by redirecting development that would otherwise occur on these resource lands to areas planned to accommodate growth and development.

[HB 2139 \(Thomas\)](#) incorporates two changes that will allow greater flexibility to localities in crafting a TDR program.

First, the legislation expands the definition of “receiving areas” where development rights can be transferred to. Currently only urban development areas (UDAs), as established by a locality per [§ 15.2-2223.1](#), may accommodate growth from identified “sending areas.” The proposal allows a locality to include “similarly defined areas” to accommodate growth.

HB 2139 also adds a provision for fine tuning the designation of sending and receiving areas by allowing a locality to “... *designate receiving areas or receiving properties that shall receive development rights only from certain sending areas or sending properties specified by the locality.*”

The measure has passed both chambers unanimously and awaits signature by the Governor before coming law.

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

Early childhood education legislation fails to graduate

As previously reported, one area of focus for Governor Northam’s Children’s Cabinet is [early childhood development and school readiness](#). Two bills this session sought to make changes aimed at streamlining Early Childhood services, but have been left in committee.

[HB 2458 \(Landes\)](#) directs the Virginia Board of Education to establish and administer a statewide unified public-private system for early childhood care and education to ensure school readiness. The bill mandates that this system use both state-level authority and regional-level public-private partnership assets and establishes exemptions from licensure. The bill also creates the Early Childhood Innovation Fund to facilitate regional public-private collaboration and to field test strategies and practices that support a system of comprehensive early

childhood care and education services in order to deliver measurable school readiness outcomes and meet regional workforce support needs. The bill has a delayed effective date of July 1, 2021 and directs the Superintendent of Public Instruction to create a plan accordingly. The bill was reported by the House Education Committee on a 20-1 vote and referred to House Appropriations where it was left before crossover.

[SB 1095 \(Howell\)](#) was significantly amended and parred down from its original scope, which was similar to HB 2458, to instead direct the Superintendent of Public Instruction and the Commissioner of Social services to convene a stakeholder group that shall investigate the development of a unified early childhood education system that incorporates private and public options. The bill passed the Senate and was reported on a vote of 21-1 by House Education, but also referred to House Appropriations where it was left in committee.

VACo Contact: [Jeremy Bennett](#)

Helpful water quality funding bill heads to Governor's desk

Legislation that will be helpful to counties seeking to more effectively and efficiently achieve their water quality goals has now passed both chambers of the General Assembly and will be sent to the Governor for signing.

[HB 1822 \(Bulova\)](#) authorizes the Director of the Department of Environmental Quality (DEQ) to authorize Water Quality Improvement Fund (WQIF) grants for the design and installation of certain wastewater conveyance infrastructure. More specifically, this bill provides Any such infrastructure shall (i) divert wastewater from one publicly owned treatment works that is eligible for grant funding to another such eligible treatment works; (ii) divert wastewater to a receiving treatment works that is capable of achieving compliance with its nutrient reduction or ammonia control discharge requirements and that results in a net reduction in total phosphorus, total nitrogen, or nitrogen-containing ammonia discharges; and (iii) 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.

Current law prohibits WQIF funding for this conveyance infrastructure, and instead only the treatment facilities are eligible for funding to upgrade their systems. Thus, the changes proposed by HB 1822 would accomplish the same water quality goals but in a much more efficient and cost-effective fashion.

Beyond this change to WQIF eligibility, Delegate David Bulova's bill has second a prong that is just as important to local governments. HB 1822 directs the DEQ to

consult with stakeholders annually to estimate the amount of grant funding that local governments will request during the upcoming year from WQIF and the Stormwater Local Assistance Fund (SLAF) and to submit those estimates to the Governor as part of a biennial funding report and an annual progress report that are required by current law. This will be a highly effective way to annually highlight to the General Assembly and Governor's Office just how great the need for SLAF and WQIF funding is, and how little localities have access to.

VACo supported HB 1822 and spoke in favor of the bill numerous times before the General Assembly.

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

Update on health and human resources legislation

The General Assembly considered some significant policy changes in the health and human services arena this session, including major changes to the foster care system and efforts to enhance care in local and regional jails. Below is an update on human services-related bills of interest to local governments.

Foster care

Changes to the state's foster care system under consideration in this session have been driven by two major factors: the Joint Legislative Audit and Review Commission's (JLARC) December 2018 report, which was critical of local departments' ability to meet requirements for children in foster care as well as the Virginia Department of Social Services' (VDSS) capacity to support local departments, and the major changes to federal funding for foster care enacted in February 2018.

[SB 1339 \(Reeves\)](#), which was co-sponsored by the entire Senate and passed the House unanimously (with an amendment removing the Senate's funding contingency clause that the Senate will need to consider today), incorporates many of JLARC's recommendations for improvements to the foster care system, notably allowing the Commissioner of Social Services to develop a corrective action plan for a local department that fails to provide foster care services in accordance with law and to temporarily assume control over the local foster care services and associated funds if the local board failed to comply with the corrective action plan and establishing a caseload standard for foster care caseworkers. The Senate budget includes a series of budget amendments that would provide additional funds for the proposed caseload standard, direct VDSS to develop a foster care recruitment and retention strategic plan, and direct VDSS to review all cases of children in congregate care and help local departments to find family placements.

Legislation to align the Code of Virginia with the provisions of the federal Family First Prevention Services Act of 2018 (FFPSA) ([HB 2014 \(Peace\)](#)/[SB 1678](#) and [SB 1679 \(Mason\)](#)) has passed the General Assembly and awaits action by the Governor. The legislative, executive, and judicial branches of state government have been working since last summer to implement changes to the Title IV-E program which were enacted in FFPSA; VACo is a participant in this workgroup along with many other stakeholders. Both the House and Senate budgets also include funding (in differing amounts) to assist service providers with compliance with new requirements for services in order to qualify for federal reimbursement.

Local supervision over parks and recreation programs for children

[HB 2280 \(Head\)](#), a bill VACo supported, failed to report in Senate Finance on February 18. The bill, which was introduced at the request of Roanoke County, would have preserved the current status of child day programs operated by local parks and recreation programs with respect to state oversight by placing them in the category of programs that are not considered to be child care. The parks and recreation programs would remain subject to safety and supervisory standards established by the local government, as they are today. Legislation that was enacted in 2018 after a previous attempt was vetoed in 2017 categorizes these programs as exempt from licensure but subject to certain requirements, and potentially subject to additional regulation by the Virginia Department of Social Services in the future. The 2018 legislation takes effect July 1, 2019, and some legislators felt that changes to its structure in this session were premature.

Bonuses for staff in local departments of social services

[HB 2188 \(Kilgore\)](#) would have allowed a local department of social services to provide bonuses to its staff upon approval by the local board of social services, without requiring that the governing body adopt an ordinance authorizing the bonuses, as is currently required in statute. The bill was intended to assist with staff retention in local departments. After VACo expressed concerns about bypassing the governing body in these compensation decisions, the patron agreed to table the bill and work on the issue in the off-season.

Standards for care in local and regional jails

[HB 1942 \(Bell, R.B.\)](#), which has passed the General Assembly, authorizes the state Board of Corrections to set minimum standards for behavioral health services in local and regional jails, including screening and assessment and discharge planning. VACo and other stakeholders worked with the patron to add an enactment clause providing that affected parties will develop a cost estimate for implementation of the new proposed standards. This helpful language will allow an opportunity to have further discussions about the resources needed to provide a higher level of care in jails.

[HB 1918 \(Stolle\)/SB 1598 \(Dunnivant\)](#) began as companion bills that authorized the Board of Corrections to set minimum standards for health care services in local and regional jails, an issue discussed in 2018 by the Joint Commission on Health Care. SB 1598 was amended in Senate Finance, after being reported by Senate Rehabilitation and Social Services, to add screening for intellectual or developmental disabilities and associated service needs as a component of the standards to be developed. The House has preferred to retain the original version of the legislation, and this approach ultimately prevailed in conference. VACo and other affected parties have expressed concern about the inclusion of intellectual and developmental disability screening in the standards, as diagnoses of these conditions often requires more in-depth evaluation than can easily be provided by jail staff, and the services for individuals with these disabilities are more appropriately provided in a community setting than in a jail.

[SB 1040 \(Peake\)](#) would have provided additional resources to jails by requiring the state to compensate local jails for the actual costs of housing state-responsible inmates in accordance with the Compensation Board's annual report, rather than compensating local jails in accordance with the funding levels provided in the Appropriations Act. VACo spoke in support of the bill in Senate Finance, suggesting that it presented an opportunity to improve state funding levels and help meet the state's policy goal of enhancing care for local and regional jail inmates. The Senate passed the bill after attaching funding contingency language that made its effectiveness subject to an appropriation being included in the Appropriations Act. No funding was included in the Senate budget for the bill, so the House Appropriations Public Safety Subcommittee, which typically defeats bills that are not funded in either budget, passed the bill by indefinitely last week.

Human Trafficking

The Virginia State Crime Commission released a report in fall 2018 on its study of sex trafficking in Virginia, and a package of bills has been introduced as recommendations of that study, including the following:

- [HB 2597 \(Herring\)](#), as approved by the House on Monday, requires a local department of social services to conduct a sex trafficking assessment if a local department receives a report or complaint that a child is a victim of sex trafficking or other types of trafficking addressed in federal law. The bill allows a local department to take a child into custody for up to 72 hours when responding to a complaint of abuse and neglect related to trafficking and sets out requirements for parental notification. The provisions of [SB 1661 \(Peake\)](#) are similar; the bill is in conference.
- [HB 2576 \(Krizek\)/SB 1669 \(Vogel\)](#) establish the position of Sex Trafficking Response Coordinator and task the Coordinator with creating a statewide plan for local and state agencies to identify and respond to victims of sex trafficking, and making a list of programs providing treatment or services to victims of

trafficking available to law enforcement agencies, other state agencies, and school divisions, among other duties. SB 1699 has passed the General Assembly; HB 2576 is in conference to resolve the inclusion of funding contingency language. Funds are included in both the House and Senate budgets for the position.

- [HB 2651 \(Yancey\)](#), which awaits action by the Governor, establishes a Virginia Prevention of Sex Trafficking Fund, which will be used for promoting awareness of sex trafficking and making preventative training and education available to agencies of state and local government. Funds will be generated by an additional fee levied on individuals convicted of certain prostitution-related offenses.

VACo Contact: [Katie Boyle](#)

Minimum wage bills outcomes

Several bills this session sought to make changes to the minimum wage in Virginia. Currently, Virginia's minimum wage matches the federal rate of \$7.25 per hour as established by the [Wages and Fair Labor Standards Act \(FSLA\)](#). Certain exceptions to the federal rate include tipped employees, full-time students, and other certain employees. Bills this session sought to raise the minimum wage, remove exemptions for certain employees, and grant additional authority to localities.

With one exception, these efforts were defeated:

[SB 1200 \(Dance\)](#) would incrementally increase the minimum wage from current federally mandated level of \$7.25 per hour to \$15 per hour effective July 1, 2021. The first increase would raise the minimum wage to \$10 per hour effective July 1, 2019. This was the latest development in a multi-year effort by the bill's patron to raise the minimum wage. The bill was defeated on a vote of 19-21 in the Senate on January 21.

[SB 1017 \(Marsden\)](#) would incrementally increase the minimum wage to \$8 per hour effective July 1, 2019 and eventually to \$11.25 by the same date in 2022. The bill also provided that wages for tipped employees be no less than 50 percent of the minimum wage. The bill was passed by indefinitely in Senate Commerce and Labor on January 21 on a vote of 9-5.

[HB 2157 \(Plum\)](#) would increase the minimum wage to \$10.10 per hour effective January 1, 2020. After January 1, 2022 the wage would be adjusted biennially to match increases in the [Consumer Price Index](#) (CPI). The House Commerce and Labor Committee's Subcommittee #2 voted 5-3 on January 29 to lay the bill on the table, where it was left in committee.

[HB 1850 \(Simon\)](#) would incrementally increase the minimum wage to \$9 per hour effective July 1, 2021, and eventually to \$15 per hour effective January 1, 2023. After which the wage would be adjusted annually to match increases in the (CPI). The House Commerce and Labor Committee's Subcommittee #2 failed to recommend reporting the bill, 3-5, on January 29, where it was left in committee.

[HB 2631 \(Levine\)](#) would establish a procedure in which a locality could impose a local alternative minimum wage if imposed by ordinance from the governing body. The House Commerce and Labor Committee's Subcommittee #2 failed to recommend reporting the bill, 1-5, on January 22, where it was left in committee.

[HB 2001 \(Aird\)](#) would eliminate exemptions to Virginia's minimum wage requirements for newsboys, shoe-shine boys, babysitters who work 10 hours or more per week, ushers, doormen, concession attendants, and cashiers in theaters. The bill would also require employers to pay attorney fees and for certain infractions. The bill was left in House Commerce and Labor.

[HB 1757 \(Carter\)](#) would prohibit an employee who is prohibited by federal or state law from soliciting tips as being classified as a tipped employee. The House Commerce and Labor Committee's Subcommittee #2 failed to recommend reporting the bill, 2-5, on January 22, where it was left in committee.

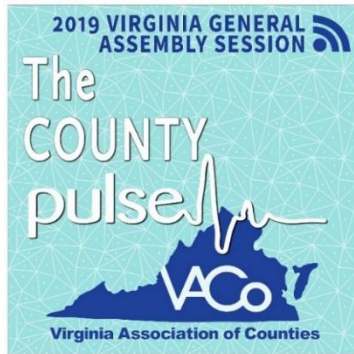
[HB 2195 \(Rodman\)](#) would incrementally increase the cash wage for tipped employees to \$3.50 per hour in 2020 and eventually to \$6 per hour in 2022. It would also eliminate the tip credit calculation aspect of wages effective January 1, 2023. The House Commerce and Labor Committee's Subcommittee #2 failed to report the bill, 3-5, on January 22, where it was left in committee.

[SB 1103 \(Howell\)](#) would remove the exemption from the minimum wage of any person who works and is compensated on the amount of work completed. The bill was defeated in Senate Commerce and Labor on a vote of 6-7 on January 14.

[HB 2473 \(Price\)](#) / [SB 1079 \(Spruill\)](#) eliminates exemptions to Virginia's minimum wage requirements for newsboys, shoe-shine boys, babysitters who work 10 hours or more per week, ushers, doormen, concession attendants, and cashiers in theaters. The bills have both passed the House and Senate and will be headed to the Governor.

VACo Contact: [Jeremy Bennett](#)

VACo County Pulse | 2019 General Assembly Edition | Part 4



Welcome to the County Pulse. Host Chris McDonald talks with VACo General Counsel Phyllis Errico and VACo Lobbyist Jeremy Bennett about a variety of issues, including agritourism, school modernization, school safety, FOIA, COIA and much more.

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

Key Dates for 2019 General Assembly Session

In accordance with the [procedural resolution](#) adopted by the House and Senate on January 9, key dates for the 2019 General Assembly Session are as follows:

- **January 9:** General Assembly convenes at noon. Bills that are “prefiled” must be submitted by 10 a.m. House bills affecting the Virginia Retirement System or creating or continuing a study must be filed before adjournment of the House; a similar deadline applies to Senate bills. The House and Senate will meet in Joint Assembly, typically at 7 p.m., for the Governor’s “State of the Commonwealth” address.
- **January 11:** Budget amendments from General Assembly members must be submitted to the House Appropriations and Senate Finance Committees by 5 p.m.
- **January 18:** All bills must be filed by 3 p.m. (bills may be introduced after the deadline by unanimous consent)
- **February 3:** House Appropriations and Senate Finance Committees report their respective budgets by midnight.
- **February 5:** “Crossover” deadline for each chamber to complete work on legislation originating in that chamber (except for the budget bills)
- **February 7:** Deadline for each chamber to complete work on its budget

- **February 13:** Deadline for each chamber to complete work on the other chamber's budget and appoint budget conferees; also the deadline for each chamber to act on revenue bills from the other chamber and appoint conferees.
- **February 18:** Deadline for committee action on bills
- **February 23:** Scheduled adjournment *sine die*
- **April 3:** Reconvened session to consider gubernatorial amendments and vetoes

VACo Contact: [Katie Boyle](#)