

Preservation Virginia continues to monitor the following items:

Agritourism

Bill: HB 2364 - Agritourism; amends definition relating to wedding venues.

Patron: Knight

Bill Text: <https://lis.virginia.gov/cgi-bin/legp604.exe?191+ful+HB2364E+pdf>

Summary: Amends the definition of "agritourism activity," for purposes of liability as well as the statutory limit on the imposition of restrictions by local governments, to include service as a wedding venue for not more than 12 weddings per calendar year, each wedding involving not more than 250 guests.

Status: Failed to pass House

Cemeteries

Bill: HB 2051- Cemeteries; development, local ordinance.

Patron: McQuinn

Bill text: <https://lis.virginia.gov/cgi-bin/legp604.exe?191+ful+HB2051+pdf>

Summary: Provides that local subdivision ordinances may include certain requirements to govern the private development of land containing an existing cemetery. The bill also authorizes localities to adopt ordinances requiring that certain research in local property records be conducted prior to development to identify any cemeteries on the property.

Status: Left in Counties, Cities and Towns

Conservation Easement

Bill: HB 2755 - Conservation easements; comprehensive plan.

Patron: Fariss

Bill text: <https://lis.virginia.gov/cgi-bin/legp604.exe?191+ful+HB2755+pdf>

Summary: Eliminates the requirement that a conservation easement conform to the comprehensive plan at the time the easement is granted for the area in which the real property is located.

Status: Passed Senate with amendment; Failed to pass House with Senate Amendment

Court Houses

Bill: HB 2239 - Court buildings; ownership, location and jurisdiction.

Patron: Bell, R.

Bill text: <http://lis.virginia.gov/cgi-bin/legp604.exe?191+ful+HB2239+pdf>

Summary: Allows courthouses to be located on property owned jointly by a county and city. Other changes allow Albemarle County to locate its general district courts immediately across the street from the county courthouse and clarifies certain jurisdictional issues in cases where a county general district court is established in a city.

Status: Passed Both Houses; Governor's Action Deadline Midnight, March 26, 2019

Land Preservation

Bill: HB 1816 - Land preservation tax credit; extends allowable time to claim credit.

Patron: Fariss

Bill text: <http://lis.virginia.gov/cgi-bin/legp604.exe?191+ful+HB1816+pdf>

Summary: Extends the amount of time a taxpayer is allowed to claim the land preservation tax credit to December 31 of the second year following the calendar year that the eligible conveyance of land was made. Under current law, the credit must be claimed by December 31 of the first year following the calendar year of the conveyance.

Status: Passed Both Houses; Governor's Action Deadline Midnight, March 26, 2019

Bill: HB 2365 - Special assessment for land preservation; optional limit on annual increase in assessed value.

Patron: Knight

Bill text: <http://lis.virginia.gov/cgi-bin/legp604.exe?191+ful+HB2365+pdf>

Summary: Authorizes localities that require use value assessment and taxation to provide by ordinance that the annual increase in the assessed value of eligible property shall not exceed a specified dollar amount.

Status: Approved by the Governor

Bill: HB 2482 - Land preservation tax credits; operation of facility on donated land; third party agreements.

Patron: Hodges

Bill text: <http://lis.virginia.gov/cgi-bin/legp604.exe?191+ful+HB2482+pdf>

Summary: Provides that if Virginia or one of its political subdivisions operates a facility on land donated for a land preservation tax credit, including charging fees for the use of such facility, such operation of a facility shall not disqualify the donation from eligibility for the credit, so long as any fees are used for conservation or preservation purposes. The bill provides that if Virginia or one of its political subdivisions contracts with a third party to manage a facility on donated land, such agreement shall not disqualify the donation from eligibility for the credit, so long as such agreement is for conservation or preservation purposes.

Status: Passed Both Houses; Governor's Action Deadline Midnight, March 26, 2019

Bill: SB 1340 - Land preservation tax credits; threshold for conservation value review.

Patron: Stuart

Bill text: <http://lis.virginia.gov/cgi-bin/legp604.exe?191+ful+SB1340+pdf>

Summary: Lowers the threshold from \$1 million to \$500,000 for (i) conservation value review of land preservation tax credit applications by the Department of Conservation and Recreation and (ii) requiring a copy of the tax credit application to be filed with the Department of Conservation and Recreation.

Status: House Finance Subcommittee #1 failed to recommend reporting

Monuments

Bill: HB 2377 - War veterans; removal or upkeep of monument or memorial.

Patron: Toscano

Bill text: <http://lis.virginia.gov/cgi-bin/legp604.exe?191+ful+HB2377+pdf>

Summary: Provides that a locality may remove or provide for the upkeep, maintenance, or contextualization of any monument or memorial for war veterans located in its public space, regardless of when erected. Current law makes it unlawful to disturb or interfere with such monuments or memorials or to prevent citizens from taking proper measures and exercising proper means for the protection, preservation, and care of such monuments or memorials.

Status: Subcommittee failed to recommend reporting (2-Y 6-N)

Miscellaneous

Bill: HB 2009 - Virginia Land Conservation Foundation; project proposals.

Patron: Krizek

Bill text: <http://lis.virginia.gov/cgi-bin/legp604.exe?191+ful+HB2009+pdf>

Summary: Directs the Virginia Land Conservation Foundation to solicit proposals for land conservation projects that would seek grant funding in the future and to establish an annual ranked list of such projects. The bill requires that the list be submitted to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance on or before December 15 of each year.

Status: Passed Both Houses

Bill: HJ 734- Commending William M. Kelso.

Patron: Mullin

Bill text: <https://lis.virginia.gov/cgi-bin/legp604.exe?191+sum+HJ734>

Summary: Commending William M. Kelso.

Status: Agreed to by Senate by voice vote

Bill: SB 1260 - Creation of conservation areas.

Patron: Sturtevant

Bill text: <http://lis.virginia.gov/cgi-bin/legp604.exe?191+ful+SB1260+pdf>

Summary: Allows a planning commission to designate an area as a conservation area. Current law only allows a redevelopment and housing authority to make such designation.

Status: Stricken at request of Patron in Local Government (7-Y 0-N)

Member Budget Items

In addition to the Governor's introduced budget amendments, the House and Senate have respectively proposed the following amendments to the budget bill:

House

Item 363 #8h: This amendment would remove the additional \$5.5 million each year proposed in House Bill 1700 as introduced for the Virginia Land Conservation Foundation.

Item 374 #1h: This amendment provides \$100,000 in the second year of the biennial budget to the Department of Historic Resources to assist the Historic Hopewell Foundation and the Weston Plantation with needs for basement wall brickwork, needed kitchen repairs and siding improvements on this historic structure.

Item 374 #8h: This amendment provides an additional \$1.5 million to the Battlefields Preservation Fund in fiscal year 2020, bringing total funding to \$2.5 million.

Item 455 #2h: This amendment directs VDOT to transfer surplus property from the Cedar Creek and Shenandoah Valley Battlefields to the respective Counties. The Property is in the core area of the Cedar Creek battlefield, one of Virginia and the nation's most significant Civil War Fields of battle as determined by the Civil War Sites Advisory Commission in its 1993 Report. Cedar Creek was one of only 45 sites in the nation ranked "A" for its significance because it had a "decisive influence on a campaign and a direct impact on the course of the war." It was also one of only 11 sites across the nation given the commission's highest preservation priority because of its importance, integrity and threats to that integrity.

Senate

Item 363 #7s: This amendment directs the Department of Conservation and Recreation to review the Brandy Station and Cedar Mountain Battlefield properties and make recommendations on their suitability as a historical and recreation area or for development as a state or regional park.

Item 363 #8s: This amendment directs the Department of Conservation and Recreation to review the Brandy Station and Cedar Mountain Battlefield properties and make recommendations on their suitability as a historical and recreation area or for development as a state or regional park.

Item 374 #1s: This amendment provides an increase of \$1.5 million GF in the second year for the Virginia Battlefield Preservation Fund.)

Item 374 #2s: This amendment provides for the extraordinary care and repair of headstones and grave markers at the African-American historical cemetery complex in Portsmouth, consistent with §10.1-2211.2 E, Code of Virginia.

Item 374 #4s: This amendment provides an increase of \$1.5 million GF in the second year for the Battlefield Preservation Fund, bringing total second year funding to \$2.5 million.)

Item 455 #1s: This amendment directs the conveyance of certain residue parcels Route 11 (Old Valley Pike), in Shenandoah and Warren Counties to the respective counties. The counties shall determine the best possible long-range ownership of The Property for its use for the interpretation of the Cedar Creek Battlefield and the Shenandoah Valley Battlefields National Historic District.