

# Legislative Update

## Virginia General Assembly 2014: January 29, 2014 Update

### Proposed Laws That May Impact Your Development and Construction Business

*By Chandra D. Lantz, Esq.*

The General Assembly already this Session has tabled, stricken, or passed by numerous proposed bills that may have impacted subdivision, zoning, mechanic's liens, public procurement and other issues of importance to the construction and development industries. The following bills, however, are still under consideration as of January 29, 2014.

#### EMINENT DOMAIN

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**SB 194 Eminent domain; date of valuation; inverse condemnation proceeding.** Adds another "date of valuation" of property for taking purposes; allows the date of valuation to be the date on which an action is taken by the government body which substantially affects the use and enjoyment of the property by the owner.

#### LAND DEVELOPMENT AND ZONING

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**HB 209 Preliminary subdivision plats.** Provides that localities may mandate the submission of preliminary subdivision plats only for plats involving 50 or more lots.

#### PROFESSIONAL REGULATION

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**HB 1045 Board for Contractors; suspension and monetary penalty for certain violations.** Creates a new law (Code 54.1-1106.2) requiring a fine and license suspension when a contractor is guilty of a violation of law arising out of work undertaken as a result of damage from a disaster, including any hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, earthquake, drought, fire, or other natural catastrophe.

#### PUBLIC PROCUREMENT

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**HB 969 Creation of statute of limitations applicable to Commonwealth for damage to property.** Establishes that the five-year statute of limitations that applies to actions for damage to property also would apply to actions brought by the Commonwealth.

## EMPLOYMENT

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**HB 32 Minimum wage.** Increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$8.50 per hour effective July 1, 2014, unless a higher minimum wage is required by the federal Fair Labor Standards Act. The act will expire at such time as the federal minimum wage equals or exceeds \$8.50 per hour.

**HB 422 Prohibits creation of wage floor by localities for local government contracts.** Prohibits local governments from enacting provisions setting wage floors or minimum employee compensation or benefits, above that required by state or federal law, for employees of contractors as part of a local government contract. Also declares any such pre-existing provisions already enacted by a local government to be null and void.

## WORKERS COMPENSATION

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**HB 52 Effect on experience rating and loss limitation for “no fault” motor vehicle accidents.** Directs the establishment of regulations to reduce the impact on experience ratings when an employee motor vehicle accident is a not-at-fault accident.

**HB 946 Fee schedule and limitations for employer for medical care services.** Directs the creation of medical care fee schedules for medical care rendered pursuant to the Workers Compensation Act which initially would be based on the Medicare reimbursement structure; Limits pecuniary liability of the employer for medical care services to the maximum fee established by the schedules.

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