

**2017 SESSION: SUMMARIES OF BILLS VETOED BY GOVERNOR TERRY MCAULIFFE
WITH REFERENCE LINKS**

Explanation and Disclaimer: Listed below please find a list of paraphrased summaries of legislation vetoed by the Governor during the 2017 session of the Virginia General Assembly. Links to more detailed reference sources are also included. The volunteers who developed these summaries made their best efforts to ensure that paraphrasing is accurate but please be aware that there is a risk that it may contain errors or incomplete information. Hence the standard disclaimers apply: By using these summaries, you acknowledge and accept this risk. The authors and any and all organizations with which they are affiliated accept no liability or responsibility.

Civil Rights

HB 2025 Religious freedom; solemnization of marriage.

SB 1324 Religious freedom; definitions, marriage solemnization, participation and beliefs.

Shields from civil liability those who discriminate against same-sex couples.

Reason for veto - The bill equates to discrimination under the guise of religious freedom. It is bad for Virginia business.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2025>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB2025AG>

HB 1856 Restitution; supervised probation.

Expansion of Supervised Probation - Bill imposes supervised probation in any criminal matter, including a deferred disposition where restitution is ordered but the defendant has not yet paid the restitution.

Reason for veto - This bill disproportionately affects the poor. Frequent meetings with probation officer can be burdensome. Probation involves a serious loss of civil rights.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+cab+SC10209HB1856+HB1REF>

Governor's veto explanation:

<http://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB1856AG>

Education

HB 1400 Virginia Virtual School Board; established, report.
SB 1240 Virginia Virtual School Board; established, report.

Creates new executive branch known as Virginia Virtual School's governed by an independent policy board.

Reason for veto - Bill creates new state agency outside the constitutional framework governing school divisions and school boards.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1400>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB1400AG>

HB 1605 Virginia Parental Choice Education Savings Accounts; established, report.

Establishes parental choice savings accounts to pay for services outside the public school system

Reason for veto - Raises constitutional concerns, diverts funds from public schools, and creates an inequitable system across different school divisions.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1605>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB1605AG>

HB 2191 School boards; procedures for handling sexually explicit instructional materials, etc.

Schools must notify parents if their child is enrolled in a course which includes materials on sexuality.

Reason for veto - Board of education determined that existing state policy regarding sensitive or controversial instructional material is sufficient.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2191>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB2191AG>

HB 2342 Public schools; Board of Education shall only establish regional charter school divisions.

SB 1283 Public schools; Board of Education shall only establish regional charter school divisions.

Allows state to establish charter school in local district with no local school board oversight

Reason for veto - Removes authority from local school boards and is in conflict with the Virginia constitution.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2342>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB2342AG>

HB 1578 - Students who receive home instruction; participation in interscholastic programs (Tebow Bill)

Opens interscholastic programs in public schools to home-schooled students.

Reason for veto - Home-schooled students are not subjected to same academic or attendance standards as public school students.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1578>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB1578AG>

Economic Justice

HB 1596 Virginia Public Procurement Act; public works contracts, prevailing wage provisions.
Prohibits state agencies from requiring a bidder, contractor, or subcontractor from performing services at rates based on prevailing wages and benefits.

Reason for veto - Wages will be lowered and concluding future contracts will be impeded. Focus needs to be on raising wages to build a new Virginia economy.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1596>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB1596AG>

HB 1753 Local government; prohibiting certain practice requiring contractors to provide compensation, etc.

Restricts local governments from making their own decisions about the wages that contractors pay employees.

Reason for veto - Decisions regarding municipal contracts should be made by local leaders who fully understand local needs.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1753>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB1753AG>

HB 1394 Franchisees; status thereof and its employees as employees of the franchisor.

Prohibits franchisees and their employees from being considered the employees of a franchisor. It relieves the franchisor/employer of the obligations and responsibilities an employer owes to its employees.

Reason for veto - Healthy franchisee/franchisor relationships are an integral part of the business environment and play an important role in the new Virginia economy.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1394>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB1394AG>

Energy

HB 2198 Coal tax; limits aggregate amount of credits that may be allocated or claimed for employment, etc.

SB 1470 Coal tax; limits aggregate amount of credits that may be allocated or claimed for employment, etc.

Reinstates costly and ineffective coal tax credit.

Reason for veto - Coal and coal related companies received \$637 million in tax credits during the same period that the number of coal miners declined from 11,106 to 2,483.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2198>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB2198AG>

Government Transparency

HB 1790 Administrative Process Act; development and periodic review of regulations, report.

Requires agencies establish schedules to review all existing regulations to determine whether they continue to be effective and necessary.

Reason for veto - The current process for review of regulations is robust. This bill would require more paperwork in an effort to identify paperwork that should be eliminated. This approach would only add costs without benefit.

Summary, legislative history and link to the bill text:

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=hb1790>

Governor's veto explanation:

<http://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB1790AG>

Gun Safety Laws

HB 1852 Concealed handguns; protective orders.

SB 1299 Concealed handguns; protective orders.

Injects firearms into domestic violence situations by allowing petitioners to carry a concealed weapon immediately upon issuance of any protective order.

Reason for veto - Research shows that having guns in domestic disputes makes the situation less safe. Too many Virginian women have already fallen victim to firearms violence at the hands of their intimate partner.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1852>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB1852AG>

HB 1853 Victims of domestic violence, etc.; firearms safety or training course.

SB 1300 Victims of domestic violence, etc.; firearms safety or training course.

Creates the Virginia Firearms Safety and Training for Sexual And Domestic Violence Victims Fund. Training is offered free of charge to victims.

Reason for veto - Facilitating the introduction of firearms into a volatile situation of domestic violence makes Virginia less safe.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1853>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB1853AG>

SB 1315 Foster care; possession of firearm.

Requires that possession of any firearms or other weapons in a foster home comply with federal and state laws and that the individual providing foster care services store all firearms, other weapons, and ammunition in a locked closet or cabinet unless they are being lawfully carried on the individual's person. The bill requires that the key or combination to the locked closet or cabinet be maintained out of the reach of all children in the home.

Reason for veto - Weakens gun safety in foster homes by allowing guns and ammunition to be kept in same closet; permits foster caregiver to carry a weapon inside the home.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+cab+HC10222SB1315+RCSB3>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+SB1315AG>

HB 1582 Concealed handgun permits; age requirement for persons on active military duty.

Sought to allow active duty or discharged military service members between ages 18 & 20 to apply for a concealed handgun permit.

Reason for veto – Reflects an incomplete understanding of weapons qualifications practices in the military and is an unwarranted expansion in the number of people allowed to carry handguns.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1582>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB1582AG>

SB 1362 Concealed weapons; nonduty status active military personnel may carry.

Sought to allow non-duty status active military personnel to carry concealed weapons while traveling in the Commonwealth.

Reason for veto – The bill would create a separate class of individuals who are not required to have a concealed handgun permit.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+SB1362>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+SB1362AG>

HB 2077 Emergency Services and Disaster Law of 2000; reference to firearms, emergency shelter.

Eliminates the authority of governmental entities to prohibit firearms in all shelters used during states of emergency.

Reason for veto - The practical effect of injecting guns into the high-stress environment of an emergency shelter would endanger vulnerable families, the staff and volunteers. To push gun politics into this atmosphere of community is insulting to the very spirit of charity that Virginians show in disasters. The Governor's highest responsibility is to ensure public safety. This bill runs exactly counter to that goal.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2077>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB2077AG>

Health and Human Services

HB 2264 Department of Health; restrictions on expenditure of funds related to abortions and family planning.

Restrictions on the expenditure of funds relating to abortions and family planning.

Reason for veto - Virginians will be harmed by lack of affordable health care.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2264>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB2264AG>

HB 2411 - Health insurance; reinstating pre-Affordable Care Act provisions.

Repeals provisions that were added and restores provisions that were repealed since 2011, in an effort to bring the laws of the Commonwealth in conformity with requirements of the federal Patient Protection and Affordable Care Act. The bill will become effective on the latter of July 1, 2017 or the effective date of federal legislation repealing the Act.

Reason for the veto - The Patient protection and Affordable Care Act (PPACA) has improved health care access for thousands of Virginians. Nearly 400,000 Virginians have been able to purchase health insurance through the federal Marketplace, and more than 80% of them have received federal tax subsidies to help them pay for it. It is premature to sign such legislation, given the uncertainty at the federal level and the ongoing need for better access to health care that exists in Virginia.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2411>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB2411AG>

HB 2207 Food stamp program; requests for replacement of electronic benefit transfer card.

Imposes needless additional bureaucratic requirements on the administration of nutrition assistance by the Department of Social Services.

Reason for veto - The federally funded Supplemental Nutrition Assistance Program (SNAP) is the only means of affording healthy food for vulnerable Virginians. It has its own eligibility requirements. No need to add to them.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2207>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB2207AG>

HB 2092 - HB Sexual and Domestic Violence, Advisory Committee on, established.

Creates obstacles to public assistance.

Reason for veto - Adds costly, time-consuming, and unnecessary steps when the Department of Social Services evaluates and applicant's eligibility for public assistance. In addition to obtaining information from the Social Security Administration, the Virginia Employment Commission, and the Internal Revenue Service this bill requires the entire criminal history of the applicant and a review of Virginia Lottery winnings. Federal law for public programs does not require a criminal history report and applicants are already required to report all sources of income.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2092>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB2092AG>

HB 2002 Refugee and immigrant resettlements; reports to Department of Social Services.

Requires the Department of Social Services to publish a report consisting of individually identifiable information for each refugee who is resettled in the Commonwealth.

Reason for veto - Many individuals and families placed in Virginia through the U.S. Refugee Resettlement Program not only are fleeing governmental oppression, persecution, and violence but also are targeted by their home country's government, often for helping further American interests. Disclosing such information in this political climate sends a message of discrimination and fear, but also poses a real danger to many of our newest Virginians. Refugees are in the United States legally. Creating a public available list of these individuals would send a message of exclusion to people looking to people looking for a chance to rebuild their lives free of tyranny and oppression.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2002>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB2002AG>

Immigration

HB 1468 Incarcerated persons, certain; compliance with detainers; U.S. Immigration and Customs Enforcement.

Prohibits release of certain individuals, held by state or local officials, suspected of violating immigration laws.

Reason for veto - Law enforcement works closely with their Federal counterparts. Imposing the requirements of this bill on local sheriffs and jail administrators could inject confusion into this relationship, leading to less effective public safety efforts. Bill conveys anti-immigrant message.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1468>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB1468AG>

HB 2000 - Sanctuary policies; prohibited.

Provides that no locality shall adopt any ordinance, procedure or policy that restricts the enforcement of federal immigration laws.

Reason for veto - This legislation does nothing more than send a hostile message to immigrant communities whose practical effect is an anti-immigration message across the Commonwealth that must be viewed in the larger context of discussions occurring at the national level today.. A state or local government may not override federal immigration laws. Localities have the right to determine whether or not to expend the resources and voluntarily enter into an agreement with the United States Immigration and Customs Enforcement agency. Police divisions across the Commonwealth have a long tradition of engaging in community policing strategies, and many have determined that it is more important to develop a relationship with immigrant communities in order to keep all of those who live within the locality safe. We should be pursuing policies that are open and welcoming as we work to build the new Virginia economy. Job creators will look elsewhere when determining to do business in our Commonwealth.

Summary, legislative history and link to the bill text:

HB 2000: <https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2000>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB2000AG>

Voting

HB 1428 Absentee voting; photo identification required with application.

SB 872 Absentee voting; applications and ballots; photo identification required.

Requires voters to submit photo identification for absentee ballot

Reason for veto - The right to vote is a fundamental tenet of our democracy. This bill puts barrier on voter to obtain an absentee ballot. Voting needs to be easier, not harder to achieve.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1428>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB1428AG>

HB 2343 Voter registration list maintenance; voters identified as having duplicate registrations.

Requires the Department of Elections to provide to the general registrars a list of registered voters who have been found to be registered in another state.

Reason for veto - Increases the administrative burden on localities. Risks improper disenfranchisement to properly registered Virginians. The Commonwealth's proven and efficient methods of list maintenance serve as a national model.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2343>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB2343AG>

SB 1105 Registered voters and persons voting; reports of persons voting at elections.

Under certain circumstances requires individual general registrars to investigate voters and provide report to the State Board of Elections.

Reason for veto - Bill raises constitutional questions; increases administrative burden on local officials; could disenfranchise voters in good standing.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+SB1105>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+SB1105AG>

SB 1253 Voter identification; photograph contained in electronic pollbook.

Requires photos in DMV database be transferred to the electronic poll books used at polling stations.

Reason for veto - Requires significant amount of money for little returns. Department of Elections should receive extra money to continue its ongoing operations.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+SB1253>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+SB1253AG>

SB 1303 Voter registration; deadline for registration by electronic means.

Voter Registration Deadline - 5pm across Virginia on the final day of voter registration for both in person and online registration.

Reason for veto - Reduces time to register which makes it harder for people who work longer hours to register; eliminates local control on closing time for the last day of registration. Eligible Virginians should continue to be allowed to register until 11:59 p. m. in order to make it easier for our busy citizens to participate in the electoral process. We should be working to reduce barriers faced by eligible Virginians when engaging in the franchise, rather than creating new ones.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+cab+SC10113SB1303+SBREF>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+SB1303AG>

SB 1455 Voter registration; monetary payments for registering for another.

Criminalizes the act of giving or receiving any money in exchange for registering to vote.

Reason for veto - This activity is already a crime under federal law. There is no evidence this activity is occurring in the Commonwealth. This is a bill in search of a problem. Instead, we should work together to focus our efforts on ensuring that all our citizens are able to fully participate in the democratic process.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+SB1455>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+SB1455AG>

SB 1581 Voter registration; verification of social security numbers.

Requires the automatic denial of voter applications from certain eligible Virginians solely due to an error in a federal database or other databases, such a third parties engaged in the credit reporting industry.

Reason for veto - Requiring 133 individual general registrars to implement a flawed application denial process will only increase the potential to disenfranchise eligible Virginian voters and stretch the limited resources of local election officials. Maintaining the Commonwealth's current process for verifying social security numbers through an agreement with the Social Security Administration will ensure continued compliance with the Voting Rights Act.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+SB1581>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+SB1581AG>

Weapons

HB 1432 Switchblade knife; exception to carry concealed.

SB 1347 Switchblade knife; person may carry concealed, exception.

Legalizes the carrying of concealed switchblade knives when used for a lawful profession or lawful recreation activity. Also legalizes the sale, bartering, giving or furnishing of switchblade knives.

Reason for veto - The enforcement of this law is challenging at best since Virginia Code does not define "lawful profession" or "recreational activity." The Virginia Sheriffs Association has requested this veto. Legalizing the concealed carry of switchblades endangers the lives of Virginians. The federal laws of the United States prohibit the manufacture, transportation or distribution of switchblade knives.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1432>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+HB1432AG>

SB 865 Furnishing certain weapons to minor; exemption

Exempts the transfer of a dirk, switchblade knife or bowie knife between family members or for the purpose of engaging in a sporting event or activity from the current prohibition against selling, bartering, giving, or furnishing such weapon to a minor.

Reason for veto - Encouraging minors to possess weapons that can be used to maim, injure or cause death is contrary to the welfare of our youth and Commonwealth. Also poses difficulties for law enforcement, in that there would be no way for a law enforcement officer to determine whether a minor met the criteria of the bill's exceptions and thus was lawfully in possession of such weapon.

Summary, legislative history and link to the bill text:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+cab+SC10123SB0865+RCSB2>

Governor's veto explanation:

<https://lis.virginia.gov/cgi-bin/legp604.exe?171+amd+SB865AG>

REFERENCES

Governor's vetoes:

<http://dls.virginia.gov/pubs/vetoes/Vetoes2017.pdf>

Virginia's Legislative Information System (LIS). 2017 Session. Retrieved on 09 May 2017 from <https://lis.virginia.gov>

Other sources of information include:

Richmond Sunlight. 2017 Bills.

<https://www.richmondsunlight.com/bills/#house>

Virginia Public Access Project. 2017 Bills.7 from

<http://www.vpap.org/general-assembly/bills/issues/>