

VA Tea Party Patriots Federation  
Cooperative Legislative Action (CoLA)

## "Who's Protecting Your Rights?"

### Bill Details

*The standard is the Constitution — for every issue, on every occasion, with no exceptions.*

*Anything less than that is a step toward tyranny.*

## 2012

### **HB 940** – SUPPORT (On House Scorecard)

Handguns; second amendment; eliminates prohibition on purchasing more than one in a 30-day period.

### **HJ 3** – SUPPORT (On House & Senate Scorecards)

Constitutional amendment; eminent domain protections; taking or damaging of private property for public use (second reference).

Revised the prohibition on the enactment by the General Assembly of laws whereby private property may be taken or damaged. An existing provision authorizing the General Assembly to define what constitutes a public use was removed. The amendment provides that *private property can be taken or damaged only for a public use, only with just compensation to the owner, and only so much taken as is necessary for the public use*. Just compensation must equal or exceed the value of the property taken, lost profits and lost access, and damages to the residue caused by the taking.

## 2013

### **SB 1256 – SUPPORT** (On House & Senate Scorecards)

Voter identification requirements; one citizen, one vote; photo ID required at polls, application for absentee ballot.

*Requires photo ID at the polls* by eliminating all forms of identification that do not contain a photograph of the voter from the list of forms of identification any one of which a voter must present in order to be allowed to vote. The bill does not affect the right of a voter who does not present one of the required forms of identification to cast a provisional ballot. The bill also provides that the State Board shall provide free voter registration cards that contain a voter's photograph and signature if the voter does not possess other satisfactory photo ID.

### **SB 1335 – SUPPORT** (On Senate scorecard)

Concealed handgun permits; confidentiality of permittee information.

**Nondisclosure of concealed handgun permit information.** Prohibits the clerk of a circuit court who issued a concealed handgun permit from publicly disclosing an applicant's name and any other information contained in a concealed handgun permit application or in any order issuing a concealed handgun permit.

## 2015

### **HB 1287 - SUPPORT** (On Senate scorecard)

Forfeiture of property used in connection with commission of crimes; conviction required.

**02/11/15 Senate: Rereferred to Finance 02/17/15 Senate: Passed by indefinitely in Finance with letter (9-Y 5-N)**

**Forfeiture of property used in connection with the commission of crimes; conviction required.**

Requires that any action for the forfeiture of property used in connection with the commission of a crime be stayed until the person whose property is the subject of the forfeiture action has been convicted of the crime authorizing the forfeiture and has exhausted all appeals.

## **HB 1408 – SUPPORT** (On House & Senate Scorecards)

Telecommunication records; IV amendment; privacy; warrant requirement, prohibits collection by law enforcement. Provides that if an investigative or law-enforcement officer would be *required to obtain a search warrant in order to obtain the contents of electronic communications or real-time location data* from a provider of electronic communication service or remote computing service, the officer shall not use any device to intercept such communications or collect such real-time location data without first obtaining a search warrant authorizing the use of the device.

## **HB 1946 – OPPOSE** (On House & Senate Scorecards)

Administrative subpoenas; electronic communication services. [Secret administrative Subpoenas]

**Secret subpoenas are warrantless search & seizure and are not allowed by the IV Amendment of the Bill of Rights.**

Authorizes the Attorney General, as attorneys for the Commonwealth are currently authorized, to issue administrative subpoenas to obtain certain records and other information from electronic communication service and remote computing service providers if relevant to a law-enforcement investigation of certain pornography, abduction, and prostitution crimes. The bill requires such subpoenas to contain a provision ordering the service provider not to notify or disclose the existence of the subpoena to another person, other than an attorney to obtain legal advice, for a period of 30 days after the date on which the service provider responds to the subpoena ...

## **HB 2144 – SUPPORT** (On Senate scorecard)

Detention and removal of U.S. citizen from State; SPS shall request notification within 24 hours.

Provides that the Secretary of Public Safety shall request from the U.S. Secretary of Defense that, when an agency of the federal government detains any citizen pursuant to 50 U.S.C. § 1541 as provided by the National Defense Authorization Act for Fiscal Year 2012 (P.L. 112-81, § 1021 ... *the U.S. Secretary of Defense shall provide notification within 24 hours of the detention to both the Secretary of Public Safety and the chief law-enforcement officer of the locality in which the citizen is detained and that the U.S. Secretary of Defense or his designee shall seek authorization from the chief law-enforcement officer of the locality in which the citizen is detained prior to removal of the citizen from the locality. The bill also provides that if the federal agency detaining any citizen pursuant to the National Defense Authorization Act fails to comply with either such request, funds appropriated for implementation or continuation of memoranda*

*of understanding entered into by cabinet secretaries shall be contingent upon authorization by an act of the General Assembly in a subsequent year. Finally, the bill authorizes the Governor to terminate any memorandum of understanding for noncompliance.*

## 2016

### **HB 48 – SUPPORT** (On House Scorecard)

Forfeiture of property used in connection with the commission of crimes; finding of guilt required.

Requires that any action for the forfeiture of property used in connection with the commission of a crime be stayed until the person whose property is the subject of the forfeiture action has been found guilty of the crime authorizing the forfeiture.

### **HB 326 – OPPOSE** (On House & Senate Scorecards)

Electronic communication service or remote computing service records; obtaining records. **These secret subpoenas are warrantless search & seizure and are not allowed by the IV Amendment of the Bill of Rights.**

Provides that any subpoena issued by a court or grand jury, search warrant, or court order directing a provider of electronic communication service or remote computing service to disclose certain information related to a customer *may require that the service provider not disclose the existence of the subpoena, search warrant, or order, except to an attorney to obtain legal advice, for a period of 90 days, subject to renewal for additional 90-day periods*

## 2017

### **HB 1428 – SUPPORT** (On House & Senate Scorecards)

Absentee voting; photo identification required with application; one citizen, one vote. Requires any voter submitting an application for an absentee ballot by mail or by electronic or telephonic transmission to a facsimile device to submit with his application a copy of one of the forms of identification acceptable under current law. The bill exempts military and overseas voters and persons with a disability from this requirement.

### **HB 1598 - SUPPORT** (On House & Senate Scorecards)

Voter registration; one citizen, one vote; proof of citizenship required to register to vote in certain elections

Requires persons applying to register to vote to provide proof of United States citizenship in a form enumerated in the bill. An applicant who does not provide such proof of citizenship shall be registered to vote in federal elections only. An applicant who does provide such proof of citizenship shall be registered to vote in federal, state, and local elections. The bill provides that any person who is registered in the Commonwealth on January 1, 2018, will be deemed to have provided proof of citizenship.

### **HB 1790 – SUPPORT** (On House & Senate Scorecards)

Administrative Process Act; development and periodic review of regulations, report. Push back Administrative State.

Requires agencies to develop regulations in the least burdensome and intrusive manner possible and provides guiding principles for the development, adoption, and repeal of regulations. The bill also requires each agency to establish a schedule over a ten-year period for the review of all regulations for which the agency is the primary responsible agency.

### **SB 1195 – OPPOSE** (On House & Senate Scorecards)

Produce safety; farm inspections, civil penalty. Warrantless search & seizure. The bill authorizes the Board of Agriculture and Consumer Services to adopt regulations to carry out the purposes of the law and gives the Commissioner of Agriculture and Consumer Services free access at all reasonable hours to any farm to inspect the farm and take samples. The Commissioner also is authorized to seize certain produce that he believes to violate the federal regulations or state law. The bill authorizes the Board to levy a civil penalty of up to \$1,000 per violation,