

Next to marrying Rita and adopting Ben, serving the people of West Springfield, Fairfax Station, South County, Mason Neck, and Mount Vernon has been the greatest honor of my life. I grew up here and did what I could for 24 years to keep our neighborhoods the best place to live, work, and raise a family.

After much thought, I have decided not to seek reelection to the House of Delegates this coming November. While I still enjoy the job and love the public service, I can no longer afford to take 80+ days a year off work to serve in the General Assembly. In addition, I don't have a monopoly on all the good ideas - there are lots of very capable public servants living in my district who can do a great job. It's not "my seat," it is the people of our neighborhoods' seat, and I am sure there is someone out there who would like to serve.

Many do not realize that I hold George Washington's and George Mason's seat in the Virginia House of Delegates. Wow - I got to do the same job as these Founding Fathers! I started out as an intern in 1986. I was first elected in 1993, and have had the honor of serving as Chairman of the House Courts of Justice Committee for the past 12 years. This has enabled me to do lots of great things to help people. Nothing great is achieved alone, so don't think I take sole credit for these, but I would humbly say that I played a lead role in bills which accomplished the following:

- Authored the Northern Virginia sections of the 2013 Transportation Act that raises money for roads and rail with the iron clad guarantee that it stays in NOVA
- Closed literally hundreds of loopholes in the DUI and criminal laws to keep people safe
- Helped build South County High School
- Wrote most of the laws to fight gangs
- Preserved thousands of acres of open space
- Made certain types of abuse of companion animals a felony
- Closed the loophole that allowed the VA Tech killer to acquire a gun
- Helped people with mental health problems by establishing Mandated Outpatient Treatment
- Allowed oil derived from Marijuana to be used to treat intractable epilepsy
- Rewrote Virginia's adoption laws to make it easier for children to be adopted
- Following 9/11 when 10 of my constituents were incinerated in the Pentagon, I passed the first law in the U.S. to require legal presence in Virginia to obtain a Driver's License, and passed Virginia's Anti-Terrorism law which gave police new legal tools to catch terrorists and apply the death penalty for terrorism
- Massively increased punishments on child molesters
- Modernized Virginia's Computer Crimes Act
- Co-created Judicial Performance Evaluation system
- Required all people arrested for a crime to be checked for immigration status
- Two little things that we all liked: Banned commercial truck parking on our Fairfax County residential streets, and banned signs on the sides of our streets and in the medians
- While it was not my bill, I wrote the language that bans smoking in restaurants

- Changed the word “which” to “that” in the speeding code --- just checking to see if you are actually reading this. Thought it might be too boring. And yes, I actually did change “which” to “that.” If you really want to be bored, e-mail me and I will explain it!

George Washington started our long history of the “citizen- legislator” when he declined to run for another term as President so he could return to being a regular citizen. He went back to Mount Vernon to be a farmer. Likewise, I will continue my career as a criminal and traffic defense attorney. I look forward to transitioning my House of Delegates office to the new public servant who is elected to serve.

Again, it has been one of the greatest privileges to serve our neighborhood, and I am so grateful to have had this opportunity.

Best Regards,

David B. Albo

I am proud of the job that *we* did over 24 years. Here are the highlights:

### **Schools**

#### *Making Our Schools Top in the Nation*

**HB 1882: Instruction regarding alcohol abuse and drunk driving. (2001 Session)** This bill provides that instruction concerning the public safety hazards and dangers of alcohol abuse, underage drinking, and drunk driving must be provided in the public schools. The Department of Alcoholic Beverage Control must provide educational materials to the Department of Education. The Department of Education must review and distribute such materials as are approved to the public schools.

**HB 1782: Public school standardized driver education programs. (2009 Session)** This bill requires that public school standardized driver education programs in Planning District 8, beginning with academic year 2010-2011, include an additional minimum 90-minute parent/student driver education component, as part of the in-classroom portion of the driver education curriculum, requiring the participation of the student's parent or guardian and emphasizing parental responsibilities regarding juvenile driver behavior, juvenile driving restrictions pursuant to the Code of Virginia, and the dangers of driving while intoxicated and underage consumption of alcohol.

**HB 1350: Mathematics assessments; targeted remediation and intervention for computational deficiencies. (2013 Session)** This bill requires local school divisions to provide targeted mathematics remediation and intervention to students in grades six through eight who show computational deficiencies on any diagnostic or grade-level Standards of Learning mathematics test that measures non-calculator computational skills.

## **Campaign Finance and Transparency**

**HB 588: Campaign finance disclosure reports; electronic filings; Internet access. (1998 Session)** This bill requires candidates for Governor, Lieutenant Governor, and Attorney General, beginning January 1, 1999, to file information on campaign contributions and expenditures by computer or electronic means meeting State Board of Election standards, and permits General Assembly candidates to file by computer electronically. The bill provides for the availability to the public of information from these campaign finance filings and reports through the Internet and requires the State Board to make all information from these reports (whether or not filed electronically) available on the Internet beginning January 1, 2001.

**HB 1026: Campaign Finance Disclosure Act; disclosure requirements for political campaign advertisements. (2004 Session)** This bill includes various revisions, including revisions to definitions, filing requirements, and enforcement provisions.

## **Animals**

*“Sometimes societies can be best judged not on how they help themselves, but how they help those who cannot help themselves. This is nowhere more relevant than our government’s protection of animals.” – Dave Albo*

**HB 2322: Cruelty to animals. (1999 Session)** This bill allows a court to require any person convicted of an animal cruelty violation to attend an anger management or other appropriate treatment program or obtain psychiatric or psychological counseling. The court may impose the costs of such a program or counseling upon the person convicted.

**HB 2323: Selling garments containing dog or cat fur. (1999 Session)** This bill prohibits the selling of such garments. The offense is punishable by a fine of up to \$ 10,000.

**HB 1900: Cruelty to animals; penalty. (2007 Session)** This bill makes it a Class 6 felony if any person who has been convicted of violating the animal cruelty statute is convicted within five years of the prior offense of maliciously depriving a companion animal of necessary food, drink, shelter, or emergency veterinary treatment, and either the previous or current violation has resulted in the death of an animal.

**HB 281: Animal cruelty; penalty. (2010 Session)** This bill increases the penalty for a second or subsequent violation of the animal care laws regarding an owner's failure to provide adequate food, adequate water, adequate shelter, and adequate veterinary care from a Class 4 to a Class 2 misdemeanor. A second or subsequent violation related to adequate space, adequate exercise, and adequate care, treatment and transportation are increased from a Class 4 to a Class 3 misdemeanor. The civil penalty for failure to sterilize a dog or cat adopted from a releasing agency is increased from \$50 to \$250.

## **Mental Health**

**HB 815: Mental health treatment; report to CCRE; restoration of rights to possess firearms. (2008 Session)** This bill, among other things, closes the loophole in the law that allowed Seung-Hui Cho to obtain a gun prior to the Virginia Tech massacre in 2007. It codifies Executive Order 50, requiring information regarding involuntary admission to a facility or for mandatory outpatient treatment be forwarded to the Central Criminal Records Exchange for purposes of determining an individual's eligibility to possess, purchase, or transfer a firearm.

The bill also makes substantive changes to who may possess, purchase, or transfer a firearm. In addition to those ordered to involuntary treatment pursuant to Title 37.2, the bill makes it illegal for a person found incompetent to stand trial and ordered to mental health treatment to possess or purchase a firearm. The bill also makes it illegal for a person who was the subject of a temporary detention order, and subsequently agreed to voluntarily admission for mental health treatment, to possess or purchase a firearm. Such person would be advised that agreeing to voluntary treatment would affect the person's right to possess or purchase a firearm.

Finally, the bill revises the procedures for a person prohibited from possessing or purchasing a firearm because of an acquittal by reason of insanity, involuntary mental health treatment, or voluntary mental health treatment after a temporary detention order to restore his rights to purchase or possess a firearm.

**HB 2257: Outpatient treatment; voluntary admission. (2009 Session)** This bill provides that, in determining whether a person is capable of consenting to voluntary admission, the judge or special justice shall consider evidence regarding the person's past compliance or noncompliance with treatment.

**HB 729: Mandatory outpatient treatment following inpatient treatment. (2010 Session)** This bill allows a court to enter an order for mandatory outpatient treatment following involuntary inpatient treatment, which orders a person to involuntary inpatient treatment and authorizes the person's treating physician to discharge the patient from inpatient treatment subject to mandatory outpatient treatment. To be eligible for such an order, the person must meet the criteria for involuntary inpatient treatment as well as demonstrate (i) a lack of compliance with treatment for mental illness, (ii) the need for outpatient treatment to prevent a relapse or deterioration that would likely result in his meeting the criteria for inpatient treatment, (iii) that the person is not likely to obtain outpatient treatment unless the court enters the order, and (iv) that the person is likely to benefit from outpatient treatment. Additionally, services must actually be available in the community and providers of services must have actually agreed to deliver the services. The bill also sets forth how orders for mandatory outpatient treatment following inpatient treatment will be enforced, reviewed, continued, and rescinded.

**HB 475: Involuntary commitment; mandatory outpatient treatment. (2012 Session)** This bill alters the criteria for ordering a person to mandatory outpatient treatment or discharging a person for a period of mandatory outpatient treatment following involuntary commitment, replacing the requirements that the person has the capacity to understand and comply with the treatment, has expressed an interest in outpatient treatment, and has agreed to comply with the treatment with a requirement that the person has agreed to abide by the treatment plan and has the ability to do so. The bill also eliminates the requirement that providers of mandatory

outpatient treatment services must have actually agreed to deliver such services before mandatory outpatient treatment may be ordered, and requires a finding that such services will be delivered to the person on an outpatient basis. The bill also provides that the duration of mandatory outpatient treatment following involuntary commitment shall not exceed 90 days, unless the order is continued. The bill also provides that mandatory outpatient treatment shall not include the use of physical force or restraint in administering medication.

**HB 476: Mandatory outpatient treatment hearing prior to release from commitment. (2012 Session)** This bill provides that prior to the release of a person who has been involuntarily admitted or who has been the subject of a temporary detention order and chose to voluntarily admit himself, a hearing shall be held, upon the motion of the treating physician, a family member or personal representative of the person, or the community services board, to determine whether such person should be ordered to mandatory outpatient treatment upon release if such person has been involuntarily admitted or has been the subject of a temporary detention order and chose to voluntarily admit himself on at least two previous occasions within 36 months preceding the hearing. The hearing shall be held within 72 hours from the time the motion is received by the district court or special justice.

### **Adoption**

**HB 1514: Parental placement adoptions. (2003 Session)** This bill provides that when a licensed child-placing agency or a local board of social services accepts custody of a child for the purpose of placing the child with adoptive parents designated by the birth parent, such agency or local board may give consideration for placement of the child to the designated adoptive parents if the agency or local board finds the placement in the best interest of the child.

**HB 1897: Adoption; records of child. (2007 Session)** This bill provides that the investigative report that must be made to the circuit court shall include a statement by the child-placing agency or local director of social services that all reasonably attainable background, medical and psychological records of the child have been provided to the prospective adoptive parents, a list of the records provided, and the relevant physical and mental history of the birth parents if known.

**HB 1905: Home study for adoption; simultaneous meeting. (2007 Session)** This bill changes the requirement that a social worker meet with the birth parent(s) and prospective adoptive parents simultaneously to an optional provision. Provides that such meetings may occur simultaneously or separately, upon the agreement of both parties.

### **Crime**

#### *Harshes DWI/DUI Laws in U.S.*

**HB 417: Certificates of analysis. (1994 Session)** This bill closes a loophole in the law. It specifically authorizes the Director of the Division of Forensic Sciences to delegate his duties with regard to preparation of certificates of analysis to an employee of the division. The bill removes a cross-reference citation to a section which authorizes agency heads to designate

subordinates to perform certain duties. Since the director is not an agency head, it is suggested that the section (§ 2.1-20.01:2) cannot apply. This bill eliminates any confusion.

**HB 1468: Admission into evidence of certain certificates of laboratory analysis. (1999**

**Session)** This bill closes a loophole in the law. It provides that a certificate of analysis may be used as evidence if a copy of such certificate is mailed or delivered by the clerk or attorney for the Commonwealth to counsel of record for the accused at least seven days prior to the hearing or trial upon request made by such counsel to the clerk with notice of the request to the attorney for the Commonwealth. Current law does not require the notice to the attorney for the Commonwealth.

**HB 1102: Alcohol safety action programs. (2000 Session)** This bill allows any person charged with driving while intoxicated to enter into an alcohol safety action program prior to trial.

**HB 2324: Drivers' license suspension; underage drinking and driving. (2003 Session)** This bill adds an automatic seven-day administrative license suspension as a penalty when a person under the age of 21 operates a motor vehicle after consuming alcohol and has a blood alcohol concentration (BAC) of 0.02. This makes the BAC for the seven-day administrative drivers' license suspension for persons under 21 consistent with the violation for driving after consuming alcohol underage, which is 0.02.

**HB 127: DUI; previous offender and breath test refusal. (2004 Session)** This bill punishes refusal to submit to a blood alcohol test as a Class 2 misdemeanor if the offender has a prior offense of DUI or refusal within 10 years, and as a Class 1 misdemeanor if the offender has two prior such offenses. Both offenses also carry a three-year license suspension.

**HB 41: DUI punishment. (2006 Session)** This bill closes a loophole in the law. It clarifies that additional punishment for two offenses of DUI is applicable to any second offense occurring within five years after any prior offense, rather than a second offense occurring within five years after a first offense.

**HB 1890: Third offense driving on a suspended license; penalty. (2007 Session)** This bill closes a loophole in the law. It clarifies that a conviction of a third offense in 10 years of driving on a license that has been suspended, revoked, or restricted because of a DUI-related offense is a Class 6 felony when such offenses are committed within the 10-year period. Current law could be interpreted to punish on the basis of the dates of convictions rather than dates the offenses were committed.

**HB 1693: Mandatory minimum punishment for DUI; elevated blood alcohol. (2009**

**Session)** This bill closes a loophole in the law. It adds an additional qualifier in DUI punishment provisions that allows use of blood alcohol testing on whole blood to be admitted into evidence in a DUI prosecution, thus allowing mandatory punishments to be imposed when the blood alcohol concentration is elevated but the test may have been performed in another, e.g., hospital, setting.

**HB 1120: Terrorism. (2002 Session)** In 2001 approximately 10 of Dave's constituents were killed in the Pentagon on 9/11. In response, Dave passed this bill. It broadens Virginia's capabilities to respond to terrorism. The bill defines "act of terrorism" and "weapon of terrorism" and punishes committing, aiding and abetting terrorism, manufacture and possession of terrorist and hoax devices, acts of bioterrorism against agricultural crops or animals and making terrorist threats. The bill makes murder in the furtherance of terrorism a capital crime. The bill defines "radiological agent" and provides that the possession, with the intent to injure another, of an infectious biological substance or radiological agent capable of causing death or serious bodily injury is a Class 5 felony. A person who manufactures, sells, gives, distributes or uses an infectious biological substance or radiological agent with the intent to injure another is guilty of a Class 4 felony.

The bill adds search and rescue and emergency medical services personnel to the section that provides enhanced penalties for malicious bodily injury to law-enforcement officers and firefighters. The bill allows the Attorney General to prosecute money laundering with the concurrence of the attorney for the Commonwealth of the locality.

The bill expands wiretap capabilities in response to terrorist activity and restricts admission to bail of a person charged with a terroristic crime. The bill also expands seizure and forfeiture law to include property associated with terrorism. The bill allows localities to be reimbursed for emergency response costs for terrorism hoaxes.

Among many other things, this bill was used to prosecute the "D.C. Sniper" John Muhammad.

#### *Fighting Gangs*

**HB 118: Attorney General; wiretap orders. (2004 Session)** This bill expands the list of crimes for which the Attorney General may seek a wiretap order to include crimes by mobs and crimes by gangs. Criminal sexual assault is included only for felony offenses that are not Class 6.

**HB 119: Venue of mob crimes. (2004 Session)** This bill provides that venue for all actions and prosecutions of any mob crime shall be in the county or city wherein such crime occurred, or of the county or city from which the victim may have been taken. Currently, such venue lies only in the circuit court of such city or county.

**HB 569: Recruitment of juveniles for criminal street gang; penalty. (2004 Session)** This bill includes within the definition of "criminal street gang" the current definition of "pattern of criminal gang activity." The bill creates a Class 1 misdemeanor for a person of any age to recruit a person into a criminal street gang. Current law punishes an adult recruiting a minor as a Class 6 felony. The bill creates a Class 6 felony for forcing a person to become a gang member through the use or threat of force against that person or another person. The bill makes a third or subsequent conviction within 10 years of prohibited criminal street gang participation and recruitment a Class 3 felony (five to 20 years). The bill allows for the forfeiture of any property, real or personal, used in connection with street gang activity. The bill also amends the obstruction of justice statute to include gang-related crimes. The bill adds gang activity to the list of crimes that a multijurisdictional grand jury can investigate.



**HB1573: Education; gang-related activity in public schools. (2005 Session)** This bill directs the Board of Education to include provisions addressing gang-related activities in its model guidelines for codes of student conduct.

**HB 2217: Crimes; criminal street gangs; penalties. (2005 Session)** This bill adds to the list of crimes defined as "predicate criminal act" the following: § 18.2-42, assault by mob; § 18.2-56.1, reckless handling of a firearm; § 18.2-59, extorting money; § 18.2-286.1, shooting from a motor vehicle; § 18.2-287.4, carrying a loaded firearm in public areas in certain localities; and § 18.2-308.1, possession of a firearm, stun weapon or taser on school property. In addition, the bill provides that "predicate criminal act" includes the violation of any offense substantially similar to these newly added crimes as well as the existing listed crimes when committed in another state or territory of the United States, the District of Columbia, or the United States. The bill provides enhanced punishments for gang activities taking place at or near schools, colleges, and school buses. The bill allows a witness in a gang prosecution to request that certain information about the witness not be disclosed. Finally, the bill treats criminal street gangs as public nuisances and allows for the enjoinder of such nuisances.

**HB 775: Criminal street gang; definitions; penalty. (2006 Session)** This bill expands the definition of predicate criminal act under crimes by gangs to include threats to bomb (§ 18.2-83) and receiving money for procuring person for prostitution (§ 18.2-356).

**HB 847: Gang information; juvenile records. (2006 Session)** This bill requires the Departments of Corrections and Juvenile Justice to collect information on individuals identified as gang members and transmit it to the Commonwealth's Attorneys' Services Council. The Council will disseminate the information to attorneys for the Commonwealth. The bill also specifies that law-enforcement agencies, school administrations and probation offices are included as entities that may examine certain juvenile records held by the Department of Juvenile Justice if there is a court order determining that they have a legitimate interest. The bill also says that the court order may be granted if the person, agency, or institution has a legitimate interest in the juvenile. Under current law the interest is limited to the case or in the work of the court. In addition, the Department of Juvenile Justice will be allowed to release the social reports and records of a child to certain law enforcement employees for the purpose of investigating criminal street gang activity.

**HB 2429: Gangs and terrorism; penalty. (2007 Session)** This bill provides that the Attorney General, with the concurrence of the local attorney for the Commonwealth, may assist in the prosecution of certain gang and terrorism crimes when committed on the grounds of a state correctional facility. The bill also provides that any person who solicits, invites, recruits, encourages, or otherwise causes or attempts to cause another to participate in an act or acts of terrorism is guilty of a Class 4 felony.

**HB 1847: Criminal street gang predicate offenses. (2013 Session)** This bill expands the definition of a predicate criminal act associated with gang activity to include the following crimes: murder, aggravated malicious wounding, reckless endangerment by throwing objects, strangulation of another, possession of infectious biological substances or radiological agents, burglary, entering dwelling house, etc., with intent to commit murder, rape, robbery or arson,



grand larceny, receipt of a stolen firearm, manufacturing, distributing, etc., or possessing with intent to manufacture or distribute methamphetamine, discharging firearms or missiles within or at building or dwelling house, use of machine gun for crime of violence, possession or use of "sawed-off" shotgun or rifle, possession of firearm by felon, possession of firearms by persons not legally present, possession of firearms while in possession of controlled substances, felony stalking, felony distribution, etc., of synthetic cannabinoids, a felony violation of manufacture, etc., of controlled substances, felony violation of distribution or possession with intent to distribute marijuana, conspiracy to commit a felony violation of manufacture, etc., of controlled substances, conspiracy to commit a felony violation of distribution or possession with intent to distribute marijuana.

*Catching and Convicting Child Molesters/Protecting Victims*

**HB 846: Sex crimes; penalties. (2006 Session)** This bill requires a mandatory minimum term of confinement of 25 years for the following offenses where the offender is more than three years older than the victim and the crime is done in the commission of, or as part of the same course of conduct as, or as part of a common scheme or plan as an abduction, burglary, or aggravated malicious wounding: sexual intercourse with a child under 13 years of age, sodomy of a child under 13 years of age, and object sexual penetration of a child under 13 years of age. The bill also provides that for those offenses and for abduction with intent to defile and abduction of a child under 16 years of age for immoral purposes if the term of confinement is less than life imprisonment, the judge shall impose, in addition to any active sentence, a suspended sentence of no less than 40 years and that the suspended sentence shall be suspended (subject to revocation) for the remainder of the defendant's life. Where the conviction is for sexual intercourse, sodomy, or object sexual penetration involving a child under 13 years of age, any probationary period must include at least three years of active supervision under a postrelease supervision program operated by the Department of Corrections with a minimum of three years of electronic GPS (Global Positioning System) monitoring. In any case where a defendant is convicted of abduction, rape, carnal knowledge of a child between 13 and 15 years of age, sodomy, object sexual penetration, aggravated sexual battery, or indecent liberties, and some portion of the sentence is suspended, the period of suspension must be at least equal to the statutory maximum period for which the defendant might originally have been sentenced to be imprisoned and the defendant must be placed on probation for that period of suspension.

The bill also provides that any person three years older than the victim convicted of rape, forcible sodomy or object penetration of a child under 13 in the commission of an abduction, burglary or aggravated malicious wounding is prohibited from working on the property of a school or day care center, subject to a Class 6 felony.

**HB 1476: Torts; sexual abuse; limitations period. (2011 Session)** This bill extends the limitations period for actions for sexual abuse committed during the infancy or incapacity of the abused person from two years to 20 years from the time of the removal of the infancy or incapacity or from the time the cause of action otherwise accrues.

**HB 897: Virginia Child Protection Accountability System. (2012 Session)** This bill requires the Virginia Criminal Sentencing Commission to report information about sentences imposed in cases involving certain criminal violations and requires the Office of the Executive Secretary of

the Supreme Court of Virginia to report information from the Juvenile and Domestic Relations District Courts' Case Management System on removal orders, protective orders, and protective orders alleging family abuse to the Virginia Child Protection Accountability System.

**HB 177: Sex Offender and Crimes Against Minors Registry Act; penalty. (2016**

**Session)** This bill adds to the offenses for which registration is required on the Sex Offender and Crimes Against Minors Registry the crimes of (i) procuring a person for prostitution and receiving money from the earnings of a person engaged in prostitution if the crime involves a minor and (ii) aggravated malicious wounding if the perpetrator of the crime was an adult and the victim was under the age of 13. The bill also provides that only persons who committed such crimes on or after July 1, 2016, are required to register.

**HB 227: Hearsay; exception; children; certain felonies. (2016 Session)** This bill establishes a hearsay exception to certain out-of-court statements made by a child under the age of 13 at the time of trial in cases involving a violation or attempted violation of an "offense against children." The bill contains a list of certain felony sex offenses and certain felony offenses resulting in physical injury that fall within the definition of an "offense against children." The court must hold a hearing prior to trial and find that the time, content, and totality of the circumstances provide sufficient indicia of reliability so as to render such statement inherently trustworthy. The bill provides factors for the court to consider in making such a determination. Notice of intent to offer the statement and the particulars of the statement must be given to the adverse party at least 14 days in advance of the proceedings.

**HB 326: Obtaining electronic communication service or remote computing service records.**

**(2016 Session)** This bill 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, if the victim is under 18 and disclosure of the existence of the subpoena, search warrant, or order will endanger the life or physical safety of an individual, or lead to flight from prosecution, the destruction of or tampering with evidence, the intimidation of potential witnesses, or otherwise seriously jeopardize an investigation. The bill also provides that only a circuit court can issue an order for disclosure from a service provider when such disclosure is relevant and material to an ongoing criminal investigation or the investigation of certain missing persons.

*General Law*

**HB 418: Set off Debt Collection Act. (1994 Session)** This bill provides for seizure of all State tax refunds for individuals who owe criminal restitution.

**HB 451: Neighborhood Speeding. (1996 Session)** This bill provides that speeding in residence districts, where properly posted, constitutes a traffic infraction punishable by a fine up to \$200, in addition to other penalties provided by law.

**HB 1580: Determination of vehicle speeds with various devices. (1997 Session)** This bill replaces nonrestrictive pronoun "which" with restrictive pronoun "that." The original law used incorrect grammar, which made Virginia's speeding statute unenforceable.

**HB 1524: Harassment by computer; crime. (2000 Session)** This bill creates a crime of harassment by computer. The bill would make it a Class 1 misdemeanor to use a computer or computer network to communicate obscene, vulgar, profane, lewd, lascivious, or indecent language, or to make any suggestion or proposal of an obscene nature or threaten any illegal or immoral act with intent to coerce, intimidate, or harass.

**HB 2593: Use of a person's identity with the intent to coerce, intimidate, or harass; penalty. (2001 Session)** This bill provides that publishing a person's name or picture along with certain identifying information, with intent to coerce, intimidate, or harass, is a Class 1 misdemeanor.

**HB 345: Duty of driver to stop; hit and run. (2002 Session)** This bill provides that any person convicted of hit and run is guilty of (i) a Class 5 felony if the accident results in injury to or the death of any person, or if the accident results only in damage to property and the damage is at least \$1,000 or (ii) a Class 1 misdemeanor if the accident results only in damage to property less than \$1,000. Under current law, anyone convicted of hit and run is guilty of a Class 5 felony, regardless of the extent of injury or damage.

**HB 1617: Hazing. (2003 Session)** This bill defines hazing to mean recklessly or intentionally endangering the health or safety of or inflicting bodily injury on a student in connection with or for the purpose of initiation, admission into or affiliation with, or as a condition for continued membership in a club, organization, association, fraternity, sorority, or student body, whether or not the victim student voluntarily participated in the activity. The bill eliminates the references to "otherwise mistreating" in favor of the single term "hazing" and substitutes the policies and procedures used by the institution for the former sole remedy of expulsion.

**HB 167: Crimes; carrying concealed weapon. (2004 Session)** This bill adds machete to the list of those weapons that are illegal to carry on the person, hidden from observation.

**HB 2215: Computer crimes; penalties. (2005 Session)** This bill modernizes the Virginia Computer Crimes Act by updating definitions to comport with changing technology, removing superfluous language and relocating language. The bill adds unauthorized installation of software on the computer of another, disruption of another computer's ability to share or transfer information and maliciously obtaining computer information without authority as additional crimes of computer trespass, a Class 1 misdemeanor. The bill also reduces the felony (Class 6) threshold from \$2,500 to \$1,000 for property damage resulting from computer trespass.

**HB 2791: Purchase of alcohol for others; penalties. (2005 Session)** This bill allows the court to suspend for up to one year the driver's license of someone who purchases alcohol for someone who is underage, intoxicated, or interdicted. A restricted permit is allowed.

**HB 113: Alcoholic beverage control; purchasing alcoholic beverages for one to whom they may not be sold; suspension of driver's license. (2006 Session)** This bill provides that any

person found guilty of purchasing alcoholic beverages for one to whom they may not be sold (i.e., a person intoxicated, interdicted or underaged) shall have his license to operate a motor vehicle suspended for a period of not more than one year. Currently, suspension of a driver's license in these instances is discretionary.

**HB 1908: Child restraint devices. (2007 Session)** This bill increases the age that children must be secured in a child restraint device from five to eight and requires that rear-facing child restraint devices for infants from birth to one year shall be secured only in the back seat of motor vehicles manufactured after January 1, 1968. The bill also removes the exemption from required child restraint device use for the rear cargo area of vehicles other than pickup trucks and increases the age from less than six years old to eight years old for the permitted use of standard seat belt equipment for certain children.

**HB 733: Medicaid fraud. (2010 Session)** This bill provides that a person will be guilty of Medicaid fraud and therefore punishable for causing certain acts, in addition to knowingly and willfully engaging in such acts. The bill also provides that the Director of the Department of Medical Assistance Services may terminate or deny Medicaid provider contracts for a violation of statutes setting forth the crimes constituting Medicaid fraud or any other felony, or for any other reason for which the U.S Secretary of Health and Human Services may do the same. The bill also requires the Director of the Department of Medical Assistance Services to investigate options for a comprehensive system that utilizes external records search and analytic technologies for the collection and review of data from public and private sources, to detect, prevent and investigate fraud, waste and abuse in Virginia's medical assistance services program, and to report his findings by December 1, 2010.

**HB 1459: Remedies; limitation on recovery in certain medical malpractice actions. (2011 Session)** This bill increases from \$2 million to \$2.05 million, on July 1, 2012, the cap on the recovery in actions against health care providers for medical malpractice. Thereafter, the cap is increased by \$50,000 annually with the last increase on July 1, 2031.

**HB 1298: Criminal procedure; GPS tracking device. (2012 Session)** This bill provides the authority and the protocol for a law-enforcement officer to apply for a search warrant to permit the use of a GPS tracking device.

**HB 218: Purchase, etc., of tobacco products by minors; nicotine vapor products and alternative nicotine products. (2014 Session)** This bill adds nicotine vapor products and alternative nicotine products to the list of tobacco products that cannot be sold to or purchased or possessed by a minor. The bill defines a nicotine vapor product as a noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other means that can be used to produce vapor from nicotine in a solution or other form. The bill defines an alternative nicotine product as any noncombustible product containing nicotine that is intended for human consumption.

**HB 886: Stalking; penalty. (2016 Session)** This bill provides that a second offense of stalking committed within five years of a prior stalking conviction is punishable as a Class 6 felony. Under current law, a second offense of stalking only qualifies for the Class 6 penalty if the

person convicted had also been convicted of certain offenses involving assaults or bodily woundings or of violating a protective order.

## **Immigration**

### *Honoring Legal Immigrants – Fighting Illegal Immigration*

**HB 1156: Alien offenders. (1994 Session)** This bill modifies current provisions governing reports on suspected aliens to require probation and parole officers and jailers to report on the alien status of certain convicted felons to INS ( Immigration and Naturalization Services). The duty is placed upon the convicted felon to produce proof of U.S. citizenship and if he fails to do so, a report is made by the probation and parole officers to the Central Criminal Records Exchange. If an offender is committed to a state or local correctional facility, the duty is on the head of the facility to inquire if the offender is a U.S. citizen and to make a report to CCRE if he is not. Whenever a report is filed, the Exchange is to notify INS.

**HB 1954: Obtaining driver's licenses, special identification cards, etc.; legal presence in the US; fraudulent representation; penalty. (2003 Session)** Seven of the 9/11 terrorists got VA Driver's Licenses, which enabled them to board aid planes. In response, Dave was the first legislator in the U.S. to require legal presence in the U.S. in order to get a driver's license. This bill makes it a Class 6 felony to obtain any document issued by the Department of Motor Vehicles (DMV) through the use of counterfeit, forged, or altered documents (unless the violation includes obtaining or possessing the documents for the purpose of engaging in an age-limited activity, in which case the violation is a Class 2 misdemeanor). The bill also provides that DMV will not issue an original license, permit, or special identification card to any applicant who has not presented with his application documentary evidence that he is either (i) a citizen of the United States, (ii) a legal permanent resident of the United States, or (iii) a conditional resident alien of the United States. An applicant who presents in person valid documentary evidence of (a) a valid, unexpired nonimmigrant visa or nonimmigrant visa status for entry into the United States, (b) a pending or approved application for asylum in the United States, (c) entry into the United States in refugee status, (d) a pending or approved application for temporary protected status in the United States, (e) approved deferred action status, or (f) a pending application for adjustment of status to legal permanent residence status or conditional resident status, may be issued a temporary license, permit, or special identification card. Such temporary license, permit, or special identification card shall be valid only during the period of time of the applicant's authorized stay in the United States or, if there is no definite end to the period of authorized stay, a period of one year. Any temporary license, permit, or special identification card issued pursuant to this subsection is required to clearly indicate that it is temporary and state the date that it expires. Such a temporary license, permit or identification card may be renewed only upon presentation of valid documentary evidence that the status by which the applicant qualified for the temporary license, permit or special identification has been extended by the United States Immigration and Naturalization Service or the Bureau of Citizenship and Immigration Services of the Department of Homeland Security. Applications for renewal, duplication, or reissuance of licenses and special identification cards will be presumed to have been validly issued, provided that, at the time the application is made, the license has not expired, or been cancelled, suspended or revoked.

The bill finally requires that driver's license endorsements by DMV including the issue, reissue, or renewal authorizing a driver to operate a vehicle transporting hazardous materials must comply with the requirements of the USA Patriot Act of 2001.

The bill becomes effective on January 1, 2004, except that the provisions relating to the Patriot Act become effective on July 1, 2004.

On or before December 1, 2003, DMV must report to the General Assembly the content of regulations that the Department of Motor Vehicles intends to promulgate to carry out the provisions of this act.

**HB 570: Arrest and detention; illegal aliens. (2004 Session)** This bill provides that all law-enforcement officers have the authority to enforce immigration laws and that a law-enforcement officer may, in the course of acting upon reasonable suspicion that an individual has committed or is committing a crime, arrest the individual without a warrant upon receiving confirmation from the Bureau of Immigration and Customs Enforcement that the individual is an illegal alien, and has previously been convicted of a felony in the United States and deported or left the United States after such conviction. A magistrate may issue a warrant and the person may be detained for not more than 72 hours or until taken into federal custody, whichever occurs first. The bill creates a presumption that an individual shall not be admitted to bail if he is detained pursuant to this provision.

**HB 1798: Public benefits; proof of legal presence. (2005 Session)** This bill provides that no person who is not a U.S. citizen or legally present in the United States is eligible for any state or local public benefits. The bill defines state and local public benefits, and sets forth a series of exceptions to this eligibility rule. The bill also requires applicants for state or local assistance to provide proof of legal presence in the United States and establishes a process for temporary receipt of benefits when applicants cannot provide such proof.

**HB 820: Alien status of jail and correctional facility inmates. (2008 Session)** This bill requires an officer in charge of a jail or correctional facility to inquire of a person in his custody as to whether the person was born in or is a citizen of the United States and to make an immigration alien query to the Law Enforcement Support Center of the United States Immigration and Customs Enforcement for any person who was born in or is a citizen of another country, or if the answers to these questions are unknown. The jail officer shall communicate the results of this immigration alien query to the Local Inmate Data System of the State Compensation Board. The State Compensation Board shall communicate, on a monthly basis, the results of any query confirming that a person is illegally present in the United States to the Central Criminal Records Exchange.

**HB 737: E-Verify Program. (2010 Session)** This bill requires agencies of the Commonwealth to enroll in the E-Verify Program by December 1, 2012, and to use the Program for each newly hired employee who is to perform work within the Commonwealth.

### **Land Preservation**



### *Preserving Open Space*

**HB 522: Property transfer. (1996 Session)** This bill authorizes the Department of Conservation and Recreation, with the approval of the Governor and the Attorney General, to lease and subsequently to convey George Washington's Grist Mill State Park to the Mount Vernon Ladies' Association of the Union. The bill directs the Department and the Association to enter into a memorandum of understanding which sets out each party's responsibilities for matters such as capital investment, staffing, programming, and maintenance and operations support. If the park is conveyed after the initial lease term, the deed must contain a reverter clause and require that the property be maintained and open to public use. This is the state law that helped transfer the Lorton Prison to Fairfax County.

**HB 1164: Virginia Land Conservation Foundation. (2000 Session)** This bill increases the number of members of the Foundation's Board of Trustees so that there will be one per congressional district, plus the Secretary of Natural Resources and six members appointed from the Commonwealth at large. Allocations of money in the Virginia Land Conservation Fund, which is administered by the Foundation, are altered so that 25 percent of the money in the fund will be transferred to the Open-space Lands Preservation Trust Fund. The Board of Trustees is directed to seek assistance in developing grant criteria from a task force consisting of natural resources agency heads. The State Treasurer is removed from the Board. The bill also clarifies that the Foundation may provide direct (rather than matching) grants to state agencies, transfer lands to other entities that will hold them for conservation purposes, and dispose of money or other property given or bequeathed to it. If a private entity acquires an interest in land as a result of a grant or transfer from the Foundation, the interest must be held jointly by the private entity and a government entity. Up to \$250,000 per year of the interest generated by the Fund may be used for the Foundation's administrative expenses. The Department of Conservation and Recreation is directed administer Foundation lands, and state agencies are directed to cooperate with the Foundation. The bill also directs the Foundation to attempt to achieve a fair geographic distribution of lands protected.

**HB 1324: Open-Space Lands Preservation Trust Fund. (2000 Session)** This bill allows grants from the Fund to be made to aid localities in acquiring open-space easements. Currently, grants may only be made to persons conveying conservation easements to the Virginia Outdoors Foundation and a local co-holder. The bill also allows up to \$100,000 per year of any interest generated by the Fund to be used for the Foundation's administrative expenses, removes the requirement that interests in open-space lands acquired by public bodies must be located in urban areas, and adds a definition of "open-space easement." The definition of open-space easement is identical to the Code's current definition of conservation easement, except that an open-space easements may be held by government entities, while conservation easements are held by private charitable entities.

**HB 344: Open-space special districts. (2002 Session)** This bill allows local governments to create, by ordinance, a service district with the authority to acquire interests in real property in order to preserve open-space land. Currently, such service districts are limited to purchasing development rights that are to be dedicated as easements for conservation and open-space purposes.



**HB 346: Clustering of single-family dwellings so as to preserve open space. (2002**

**Session)** This bill provides that a locality may provide in its zoning or subdivision ordinance standards, conditions and criteria for clustering of single-family dwellings and the preservation of open space developments. In establishing such standards, conditions and criteria, the governing body may include any provisions it determines appropriate to ensure quality development, preservation of open space and compliance with its comprehensive plan and land use ordinances. If proposals for clustering of single-family dwellings and the preservation of open space developments comply with the locality's adopted standards, conditions and criteria, the development and open space preservation shall be permitted by right under the local subdivision ordinance. The implementation and approval of the cluster development and open space preservation shall be done administratively by the locality's staff and without a public hearing. No local ordinance shall require that a special exception, special use, or conditional use permit be obtained for such developments. However, any such ordinance may exempt developments of two acres or less. In any instance where the proposed density is greater than the density permitted in the applicable land use ordinance, the locality may continue to require approval of a special exception, special use permit, conditional use permit or rezoning. Localities that currently provide for clustering of simple-family dwellings upon approval of a special exception shall have until July 1, 2004, to comply with the provisions of this bill.

**HB 2431: Closing Lorton Prison and transferring federal lands to the Commonwealth.**

**(2007 Session)** This law helped transfer the Lorton Prison to Fairfax County. Authorizes the Commonwealth to take title to federal lands located within the Northern Virginia Planning District that contain environmental contamination if the United States enters into a written agreement with the Commonwealth, in a form to be approved by the Attorney General, to indemnify the Commonwealth for associated liabilities and clean-up costs or otherwise provides satisfactory assurances that all corrective action necessary to protect human health and the environment will be taken at the sole expense of the United States. The bill further provides that in addition, such transfer or reversion shall not occur unless and until the United States has agreed, and provides assurances satisfactory to the Commonwealth, to provide all transportation infrastructure improvements required to accommodate the development of any property contiguous or adjacent to the property subject to the transfer or reversion.

**Quality of Life**

**HB 1730: Regulation of parking. (2003 Session)** This bill allows Fairfax and Prince Williams Counties, by ordinance, to regulate or prohibit the parking of various classes of vehicles.

**HB 34: Banning Advertising within highway limits. (2012 Session)** This bill allows the Commissioner of Highways to enter into agreements with any local governing body authorizing local law-enforcement agencies or other local governmental entities to act as agents of the Commissioner regarding unlawful advertising on highways and collection of penalties and costs. The bill also amends the law regarding such agreements with Fairfax County to provide that signs providing directions to "special events" posted on weekends shall not be subject to such agreements.

**HB 1445: Possession or distribution of marijuana for medical purposes; epilepsy. (2015 Session)**

This bill provides an affirmative defense in a prosecution for the possession of marijuana if the marijuana is in the form of cannabidiol oil or THC-A oil possessed pursuant to a valid written certification issued by a practitioner of medicine or osteopathy licensed by the Board of Medicine for purposes of treating or alleviating a patient's symptoms of intractable epilepsy. The bill provides that a practitioner shall not be prosecuted for distribution of marijuana under the circumstances outlined in the bill. The bill contains an emergency clause.

**HB 1499: Right to breastfeed in public places. (2015 Session)** This bill provides that a mother may breastfeed in any place where the mother is lawfully present. Current law allows breastfeeding on any property owned, leased, or controlled by the Commonwealth.

**Transportation**

While I can't say that I personally wrote these bills, I can say I did my small part in getting them passed into law:

**HB 2313: Revenues and appropriations primarily for transportation. (2013 Session)** This is the comprehensive transportation funding bill for 2013. Dave was the original author of the Northern Virginia section of the bill. 100 percent of the money raised in Northern Virginia stays in Northern Virginia to widen roads, repave residential streets, improve Fairfax County Parkway, and more!

Dave wrote the "kill switch" law that guarantees 100 percent of the 2013 Transportation Act money we pay stays in Northern Virginia. The moment one penny of our funds are spent outside of Northern Virginia, the entire law is repealed.

**HB 1885: Quantitative rating of pavement condition and ride quality of highways. (2013 Session)** Delegate LeMunyon passed this bill but it was mine originally. This bill requires VDOT to determine a quantitative rating on the pavement condition and ride quality of every highway in the primary and secondary state highway systems at least every five years and to post the ratings on its website.

**Accomplishments Outside of the General Assembly**

*"There is no limit to the amount of good you can do if you don't care who gets the credit." – Ronald Reagan*

**West Springfield H.S. Renovation.** As a WSHS graduate, this issue is close to Dave's heart. Dave worked with Supervisor Herrity, School Board Member Bradsher, and WSHS parents to get our school from not even on the renovation list to the top! The design is complete and construction is underway.

**South County Middle School.** As a delegate, Dave delivered \$1.7 million toward the construction of this school. As a parent, Dave joined the South County Middle School Solutions Group, which worked for four years to earn our School Board's approval to build our school!

**South County High School.** When parents needed a school, Dave jumped into action. Dave's "Albo-Rust Public/Private School Construction Plan" created a new way to build schools by using private sector capital. Combined with the local parents' land swap idea, Dave's plan built our SCHS in half the time and at 2/3 the projected cost.

**More State Funds for Fairfax County Public Schools.** In the 2017 Legislative Session the General Assembly increased direct aid to Fairfax County Public Schools. Direct aid to Fairfax County Public Schools has increased by almost 30 percent over the past 10 years, giving our schools \$1,052 MORE per pupil! *Additionally*, this year's budget provides funding for supporting pay raises in local school districts. Fairfax County Public Schools' proposed FY 2018 budget includes a step increase of 2.5 percent for all eligible employees.

**Getting Our Students into VA Colleges.** Dave is always working to get your children into Virginia colleges. Dave was able to get UVA, William and Mary, JMU, GMU, CNU, VCU, and Virginia Tech to collectively add 3,500 new in-state slots over the past two years.

**Smoking Ban.** Delegate Cosgrove passed a bill banning smoking in restaurants about five years ago. Dave wrote the original draft. It bans smoking in restaurants, but allows them to create an area that is separated by walls or glass and is separately ventilated so that the smoky air does not permeate into the rest of the establishment.

**Helping the Less Fortunate.** Despite what the Democrat Party may say about Republicans and Dave Albo, Dave is a champion for helping those who are unable to help themselves.

In 1997, Dave helped pass the Family Access to Medical Insurance Security (FAMIS), which gives free health care to all children in Virginia whose parents cannot afford health insurance. There are currently over 500,000 kids covered by this program, and the number grows every month!

**ECHO.** Using his seniority in the House, Dave Albo secured a \$25,000 state grant to help Springfield's wonderful charity, Ecumenical Community Helping Others (ECHO). ECHO is a combined effort of Springfield's churches to help Springfield's less fortunate have food and clothing. Not a single person working at ECHO accepts even one penny of pay. They do it out of their love for Springfield and compassion for those less fortunate.

**Lorton Community Action Center.** Lorton Community Action Center (LCAC) takes care of the poor from the South County area. For years, Dave Albo has personally contributed to help LCAC raise money. Dave's campaign, his law firm, and Dave himself have donated thousands. He is personally committed to helping the LCAC help South County's less fortunate. The LCAC not only helps feed and clothe the poor, but they also provide many services including ESL and computer learning classes, free legal services, and several programs for children, like after school care and sports programs.

Check out my YouTube Channel for videos of some of my bills being introduced in Richmond:  
<https://www.youtube.com/channel/UCkmHF-oJmjd0CtwCtVEwOFw>