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Virginia General Assembly 2017 Session Report

Legislature sends bills to defund Planned Parenthood & protect religious liberty to Governor's desk for second year; efforts to fund contraceptive implants and weaken scholarship tax credits defeated

The 2017 session of the Virginia General Assembly will draw to a close today or tomorrow after an intense month and a half. The General Assembly considered almost 3,000 bills. Virginia Catholic Conference staff met with legislators, testified at innumerable hearings and spread action alerts through our grassroots network and on social media.

Midway through the session, the Conference joined Bishops DiLorenzo and Burbidge to host the second annual [Virginia Vespers: Evening Prayer for the Commonwealth](#), a beautiful liturgy that drew members of the Governor's cabinet, state officials and legislators, and people from throughout Virginia to pray for the needs of the Commonwealth, and for dialogue in a time of deep division in the politics of our nation and Commonwealth.

For the second consecutive year, the Conference was instrumental in the passage of a bill – unfortunately vetoed – to deny funding to Planned Parenthood and the abortion industry, blocking efforts to restrict refugee resettlement and expanding conscience protections for religious organizations that believe the truth about marriage.

The Conference also saw the inclusion of key priorities in the package of amendments to the two-year state budget passed by legislators, including eliminating funds for an ill-advised “reproductive education pilot program,” and appropriating much-needed funds for permanent supportive housing for Virginians with mental illness and a 2.5% increase in assistance for Virginia's needy families.

Here's a more detailed look at the Conference's work on key priorities in 2017:

Unborn Life

Defunding the Abortion Industry: The Conference and other pro-life advocates worked to ensure passage of a bill to divert tax dollars away from Planned Parenthood and the abortion industry, and towards clinics that provide primary care. The bill easily

passed the House and then closely passed the Senate. Although [Planned Parenthood](#) is legally a nonprofit, it takes in enormous revenues: \$1.3 billion in 2015, netting \$58.8 million over expenses. \$553.7 million of that revenue is from taxpayers' dollars. Planned Parenthood provides almost 17 times more abortions than birth-oriented services and aborts 160 children for every 1 child it refers for adoption. It is responsible for nearly 900 abortions each day – one third of all abortions in the country. For the second consecutive year, Gov. Terry McAuliffe has demonstrated his unwavering commitment to the nation's largest abortion business by vetoing the bill. See the Virginia bishops' statement [here](#).

Abortion Facility Health & Safety Standards: The Conference successfully worked to defeat three bills that would have exempted abortion facilities from vital health and safety standards and would have removed Conference-supported ultrasound informed consent standards. After hearing testimony from the Conference and other pro-life advocates, a committee voted to keep the safety and informed consent standards in place. The abortion industry has fought regulation for years. Yet independent inspectors repeatedly find serious deficiencies at these facilities, even during announced inspections. Clearly these centers cannot self-regulate. The ultrasound requirement is part of strong informed consent policy that ensures that a mother has as much information as possible before making a life-altering decision with life-and-death consequences for her unborn child. Abortion is not healthcare because it ends lives instead of healing them. However, since abortion operates under the guise of healthcare, abortion facilities should adhere to the health and safety standards of other healthcare clinics.

Death Penalty

Conference-supported bills making those with severe mental illness ineligible for the death penalty failed in House and Senate committees but sparked constructive dialogue to build upon in future sessions. The Conference also opposed a measure that would have expanded Virginia's death penalty law by allowing a death sentence for killing an off-duty law-enforcement officer or fire marshal. Fortunately, that proposal died in committee.

Religious Liberty

For the second straight year, the General Assembly passed legislation to ensure that clergy and religious organizations are not punished by the government for following the teaching that marriage is between a man and a woman. The measure – which would guarantee religious charities and schools fair access to public resources like tax exempt status, contracts, grants and licensure – now heads to the desk of Governor McAuliffe, who vetoed a similar bill last year. In strongly supporting this legislation, the [Conference](#) is proud to defend the religious freedom of [Catholic organizations providing vital assistance](#) in communities across Virginia. They employ nearly 25,000 people, educate over 30,000 students, and provide hundreds of millions of dollars in services to those in need – including those who are homeless, elderly, sick, uninsured, refugees, immigrants and children in need of foster care.

Immigrants and Refugees

Refugee Resettlement: The Conference opposed two bills that would have imposed superfluous state regulations on the federal refugee resettlement process and hampered the work of local charities. Refugees often wait decades to come to the United States, and must first undergo a [stringent vetting process](#), which normally takes between 18 and 24 months. The two proposed bills did not even attempt to enhance public security, but would only slow an already glacial process. On behalf of Catholic Charities of the Diocese of Arlington and Commonwealth Catholic Charities, the Conference joined other faith-based resettlement agencies to educate our legislators on the process that is currently in place. Our testimony led the patron of one of these bills, which would have established a cumbersome locality-notification procedure, to withdraw his proposal. The other bill attempted to interfere in charities' contracts with the federal government by calling for redundant reports about their ministries. It passed both chambers, but fortunately the Governor vetoed the bill.

Immigrant Communities: The Conference continued to push back against misinformed and vaguely worded legislation targeting undocumented immigrants. In keeping with federal law, enforcement of immigration laws is best left to the federal government. Enforcement by local entities should remain voluntary. One Conference-opposed bill tried to force local law enforcement to hold in their jails individuals who are subject to federal detainer requests (the compliance of which is voluntary under federal law), until such time as U.S. Immigration and Customs Enforcement agents pick them up. An unclear, watered-down version passed both chambers of the General Assembly and now goes to the Governor's desk.

The effect of another piece of legislation was similarly unclear. This bill would have cracked down on cities that adopt policies that do not coordinate with immigration law enforcement to the full extent that they are "permitted by federal law." In fact, under current federal law, widely varying degrees of coordination are permitted and localities are rightly granted the right to exercise discretion. Had it become law in its original form, this measure would have circumvented local discretion in the policies best suited to engender public safety and community flourishing. The Conference and other faith groups testified at public hearings and mobilized their networks to contact key legislators. After passing the House but then stalling in a Senate committee, it was resurrected and significantly diluted before Senate passage. The final version lacks the teeth of the original version, but still sends a negative message to members of the immigrant community, including many of our parishioners. It is now on the Governor's desk.

Driving Privileges for Immigrants: This session, the Conference again advanced its position that the Commonwealth would be best served by offering driving privileges to residents regardless of immigration status. This policy has already been adopted by 12 states and is recommended by the Department of Motor Vehicles to promote individuals' safe transport to church, work and school. Two bills that would have accomplished this had bipartisan support but were left in committee.

Three other bills, also with bipartisan support, would have expanded driving privileges to Virginia residents with various classifications of legal status. The Commonwealth is now one of only nine states that do not provide a way for all legally present residents to drive. One of these bills granted temporary and annually renewable driving permits to about 6,000 Virginians. After passing the House, it was defeated in a Senate committee.

Educational Choice

Thousands of Virginia students receive the financial assistance they need to attend Catholic and other nonpublic K-12 schools through the Education Improvement Scholarships tax credit program, enacted in 2012 with the strong support of the Conference. This year, two Conference-supported bills to enhance this program were considered – one to increase the tax credit to 90% from 65%, and another to make low-income pre-K students eligible for financial assistance under the program. The bill to increase the tax-credit percentage failed to make it out of either the House or the Senate; the bill to expand the program to include economically disadvantaged pre-K students passed the Senate unanimously but was defeated in a House committee.

The Conference also opposed several proposals to reduce tax incentives for donations under the program. Fortunately, each of these proposals was rejected in committee, thus preserving the program's status quo for the year.

Combatting Pornography

A resolution recognizing that pornography leads to individual and societal harms passed the House with broad bipartisan support, but the Senate did not bring it to a vote. Pornography is becoming ever more pervasive and violent. Children are being exposed to degrading content, which by default has taken the place of a healthy education about human sexuality. The average age of first exposure to internet pornography is 11. Research increasingly shows that pornography addiction uses similar pathways in the brain as drug addiction and is linked to an increase in both violence against women and human trafficking. Recently, the state legislatures of both Utah and South Dakota unanimously voted to declare pornography a public health crisis.

Budget Priorities

Budget negotiators agreed to a package of amendments for the second year of the two-year budget adopted in 2016. Full General Assembly approval is anticipated either this evening or tomorrow, and the package will then proceed to the Governor for further action. The following are budget items that were focal points for the Conference:

Prohibiting Taxpayer-Funded Abortion of Disabled Children: The General Assembly failed to adopt Conference-supported language that would have eliminated state funding for all abortions except those funded under the federal Hyde Amendment (rape, incest and life of the mother). Currently, Virginians' tax money pays for abortions of potentially disabled children. Unlike Virginia, 32 states and DC adhere to the Hyde

Amendment restrictions against abortion funding.

Eliminating Funding for “Reproductive Education”: For the second straight year, legislators eliminated funding for a Conference-opposed program proposed by Governor McAuliffe to promote and provide “long-acting reversible contraception”, such as IUDs and skin implants, to low-income Virginia women and teens.

Disability Waivers: An approved budget amendment provides 144 additional Medicaid waiver slots to provide essential services to Virginians with intellectual and developmental disabilities, including housing, medical and personal care services. The Conference applauds all efforts to increase services for the disabled; however, these waivers do not represent adequate progress in eliminating the list of more than 11,000 Virginians with disabilities who continue to wait for services to which federal law entitles them.

Permanent Supportive Housing for the Mentally Ill: The budget-amendment package includes a Conference-supported amendment to provide \$4.9 million for permanent supportive housing for Virginians with mental illness.

Opioid Addiction Treatment: The package includes \$5.2 million in much-needed Conference-supported funding to combat Virginia’s opioid crisis. In 2016, Virginia reported over 1,000 deaths due to opioid overdoses, leading the state Health Commissioner to declare the crisis a public health emergency in November. The funds will facilitate increased access to treatment programs and emergency overdose reversal kits.

Increasing TANF Benefits: Legislators included a Conference-supported amendment to fund a 2.5% cost-of-living increase in Temporary Assistance for Needy Families (TANF) benefits to help low-income Virginia families.

Want to see votes your legislators cast this year on important bills? See the Virginia Catholic Conference’s 2017 General Assembly vote charts on our website.