

Senator Houck Reports From Richmond

March 10, 2008

As of this writing, the 2008 General Assembly Session has been extended because budget negotiations did not meet the March 8th Deadline. Therefore, this report will provide an update on some, but not all, legislation passed with my support.

Abusive Driver Fees

My legislation, **Senate Bill 1**, repeals the abusive driver fees statute and provides a mechanism for individuals to receive refunds from fees paid. This legislation becomes effective immediately upon Governor Kaine's approval.

Animal Fighting

In the wake of the Michael Vick incident, legislators introduced several bills on this topic. **Senate Bill 592** provides that individuals engaging in fighting of any animals are guilty of a Class 1 misdemeanor.

Senate Bill 26 adds organized dog fighting as a qualifying offense under the Virginia Racketeer Influenced and Corrupted Organization Act. Any person convicted under this act is guilty of a felony that is punishable by imprisonment up to 40 years and a fine up to \$1 million dollars. The transmission of money derived from a racketeering activity is punishable as a Class 6 felony (1-5 years).

Home Foreclosures

Senate Bill 797 requires high-risk mortgage lenders to provide written notice of the intention to send a notice to accelerate the loan balance 10 business days prior to sending the notice of acceleration. If the borrower indicates the desire to avoid foreclosure, the high-risk mortgage lender shall give the borrower 30 calendar days' forbearance.

Identity Protection

My legislation, **Senate Bill 133**, prohibits the dissemination of another person's society security number, regardless of whether such number is obtained from a public or private record. Currently, the prohibition against dissemination only applies to social security numbers from private sources. This was a recommendation of the Freedom of Information Advisory Council, which I serve as Chairman.

Illegal Immigration

House Bill 440 provides that illegal immigrants may not leave jail on bail if they commit certain crimes of violence. This legislation will ensure that individuals are present at the time of their hearing.

House Bill 820 requires jails to inquire of an inmate as to whether the person is a United States citizen 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. Results confirming that a person is illegally present in the United States will be sent to the Central Criminal Records Exchange.

Payday Loans

Due to the efforts of civic organizations, **House Bill 12** passed reforming the payday loan industry. This bill doubles the repayment terms from one pay period to two, caps the interest rate at 36 percent and limits individuals applying for one loan at a time. The measure also creates an internet-accessible database and requires payday lenders to access the database prior to making any loan to determine whether an applicant is eligible for the loan.

By the time of this report's publication, my staff will have returned to our Spotsylvania office. As always, if you have any questions or comments, please do not hesitate to contact us. We can be reached via e-mail at senatorhouck@comcast.net, via telephone at (540) 786-2782, or via fax at (540) 891-8805.