



## 2020 VRLTA LEGISLATIVE POSITIONS

The Virginia Restaurant, Lodging & Travel Association is the unified voice for the restaurant, lodging, travel and hospitality suppliers associations. The association creates value for members by promoting the legislative interests of the industry, providing cooperative marketing and educational opportunities while protecting free enterprise.

This listing is not exhaustive in nature; please contact our offices for further comments.

## 2020 TOP PRIORITIES

- ▶ **Tipped Wage/ Tip Credit:** VRLTA supports and accepts existing federal law for tipped employees that provides strong protections to ensure they never earn less than the applicable minimum wage, and is opposed to increases to the tipped wage. VRLTA opposes efforts to reduce or eliminate the tipped credit. Tip credit should increase dollar for dollar with any increase in the minimum wage.
- ▶ **Minimum Wage:** VRLTA supports and accepts the federally mandated minimum wage as the statewide minimum wage requirement and opposes any efforts to give jurisdictions the authority to impose a minimum wage greater than the federal guideline.
- ▶ **Workforce Matters:** VRLTA believes Virginia is the number one state to do business. VRLTA supports Virginia as a right-to-work state, and opposes any efforts to expand burdensome requirements on business owners, such as predictive scheduling, mandatory paid leave, etc.
- ▶ **ABC Licenses:** VRLTA supports limiting ABC licenses for on-premises consumption of alcoholic beverages to those establishments that meet the State Health Department and Virginia ABC Board requirements. All ABC requirements for minimum food sales should be strictly and equally enforced.
- ▶ **Tourism Promotion:** VRLTA supports continued state tourism promotion by the Virginia Tourism Corporation and favors maintaining it at a level no lower than \$30 million annually, and requests an additional \$11 million be allocated to the VTC for marketing purposes to attract first time visitors to Virginia and to enhance our leverage marketing program. VRLTA also continues to support the legislative initiatives of the Virginia Tourism Corporation. VRLTA also supports local tourism promotion efforts be maintained at levels to support tourism marketing.
- ▶ **Taxation:** VRLTA opposes single industry taxes aimed at the hospitality industry, such as meals taxes, transient occupancy taxes, and admissions taxes, unless there is support from the industry and the revenue generated is intended to generate visitation in the areas the taxes are being levied. VRLTA also supports the equalization of industry specific taxes to ensure fairness among all competitors within a given industry.

## TRAVEL + TOURISM

- ▶ **Economic Development:** VRLTA supports economic development efforts to attract, develop and reinvest in Virginia businesses, in particular tourism development given its ability to develop a well trained work force and uniquely create a higher quality of life that attracts visitors as well as new residents to the community.
- ▶ **School Calendar:** VRLTA supports current law precluding Virginia public schools from beginning any earlier than 14 days prior to Labor Day.
- ▶ **Tourism Promotion:** VRLTA supports continued state tourism promotion by the Virginia Tourism Corporation and favors maintaining it at a level no lower than \$30 million annually, and requests an additional \$11 million be allocated to the VTC for marketing purposes to attract first time visitors to Virginia and to enhance our leverage marketing program. VRLTA also continues to support the legislative initiatives of the Virginia Tourism Corporation. VRLTA also supports local tourism promotion efforts be maintained at levels to support tourism marketing.
- ▶ **Transportation:** Virginia's transportation system is critical to support travel, economic development and business operations across Virginia. An effective statewide solution will be comprehensive, designed to employ multi-modal transit, new technologies and innovative ideas. VRLTA strongly opposes any taxes targeting a single industry to attempt to fund transportation solutions.
- ▶ **Welcome Centers and Safety Rest Areas:** VRLTA supports the maintenance as well as the renovation or reconstruction, where necessary, of Virginia's Welcome Centers and Safety Rest Areas.

## TAX + REGULATORY REFORM

### Tax Code

- ▶ **Accelerated Sales Tax:** VRLTA opposes the imposition of the accelerated sales tax payment, a policy which places an undue burden on hospitality and travel businesses.
- ▶ **Admissions Tax:** VRLTA opposes admissions tax because it discriminates against one industry.
- ▶ **Dealer Discount:** VRLTA supports the restoration of the dealer discount that compensates retailers for the costs associated with the collection and remittance of state and local taxes.
- ▶ **Dillon Rule:** VRLTA supports the Dillon Rule and opposes granting counties, or other entities, the same taxing authority as cities and towns.
- ▶ **Lodging Taxes/TOT:** VRLTA opposes the imposition of lodging taxes/TOT except where the local tourism industry supports the need for the new tax and 100% of the new tax is dedicated to a defined objective for the marketing of tourism. VRLTA supports legislation that would require cities and

towns to pass a referendum before being permitted to further increase lodging taxes/TOT within that locality.

- ▶ **Meals Taxes:** VRLTA opposes meals tax because it discriminates against one industry. Furthermore, VRLTA supports full transparency when conveying to the general public the total tax being charged for the sale of prepared food. VRLTA supports legislation that would require cities and towns to pass a referendum before being permitted to further increase the meals tax within that locality.
- ▶ **Meals/Lodging Tax Referenda:** VRLTA supports the requirement that localities hold a referendum prior to seeking to increase a meals or lodging tax.

### Tort Reform + Liability

- ▶ **ADA ‘Drive-By’ Lawsuits:** VRLTA supports federal and state efforts to protect businesses from burdensome ‘drive-by’ lawsuits brought under the ADA act; VRLTA supports the passing of legislation that would allow a ‘notice and cure’ provision to address deficiencies in accessing or utilizing a business under the ADA.
- ▶ **Increased Restrictions:** VRLTA opposes efforts to impose unreasonable restrictions (i.e. zoning, licensing, etc.) upon hospitality establishments’ owners or operators by localities’ alleging problems with customer activities surrounding property.
- ▶ **Tort Reform:** VRLTA supports limits on punitive damages and joint and several liabilities.

### WORKFORCE

- ▶ **Education:** VRLTA supports rigorous tourism, hospitality, and culinary curricula with increased funding and support for career and technical education. VRLTA supports strategies of graduation and student accreditation that ensures all high school graduates are college and workforce ready.
- ▶ **Health Care:** VRLTA supports efforts to make employer-sponsored health care coverage more affordable for employers and their employees.
- ▶ **Immigration:** VRLTA supports reasonable efforts to ensure that businesses do not employ illegal aliens; however, VRLTA opposes any requirements that place an undue burden on businesses to enforce immigration laws or that otherwise impose penalties on employers that make a good-faith effort to comply with such laws. VRLTA also supports the continued viability of the H2-B and J1-Visa programs.
- ▶ **Minimum Wage:** VRLTA supports and accepts the federally mandated minimum wage as the statewide minimum wage requirement and opposes any efforts to give jurisdictions the authority to impose a minimum wage greater than the federal guideline.

- ▶ **Tipped Wage/ Tip Credit:** VRLTA supports and accepts existing federal law for tipped employees that provides strong protections to ensure they never earn less than the applicable minimum wage, and is opposed to increases to the tipped wage. VRLTA opposes efforts to reduce or eliminate the tipped credit. Tip credit should increase dollar for dollar with any increase in the minimum wage.
- ▶ **Mandatory Paid Leave:** VRLTA maintains that it is in the best interest of every business to provide the best benefits to their employees that they can afford, and opposes any effort to mandate that employers provide employees paid leave.
- ▶ **Predictive Scheduling:** VRLTA believes that government intervention in the scheduling of employees through a one-size-fits-all approach intrudes on the employer-employee relationship and creates unnecessary mandates on how a business should operate
- ▶ **Right-To-Work:** VRLTA supports the right of all employees to work without mandatory membership in a labor union
- ▶ **Unemployment Compensation:** VRLTA supports Virginia unemployment compensation law designed to provide adequate and temporary financial assistance to employees who become unemployed through no fault of their own.
- ▶ **Workers' Compensation:** VRLTA supports established rates to compensate employees for clearly identifiable injuries sustained on the job. VRLTA opposes efforts to unnecessarily increase the cost of providing workers' compensation.
- ▶ **Workforce Development:** VRLTA supports the efforts of K-12 public schools, institutions of higher education and career and technical programs across the Commonwealth to prepare Virginians to enter the workforce with the necessary knowledge and skills for success.
- ▶ **Veterans:** VRLTA supports all efforts to improve the transitioning of former military members into the hospitality workforce, streamline the transitioning process, and help to meet workforce demands while utilizing the unique value veterans provide.

## ABC & FOOD SERVICE ISSUES

### ABC Issues

- ▶ **ABC Licenses:** VRLTA supports limiting ABC licenses for on-premises consumption of alcoholic beverages to those establishments that meet the State Health Department and Virginia ABC Board requirements for a restaurant (e.g., operating kitchen, menu, minimum food sales). All ABC requirements for minimum food sales should be strictly and equally enforced.

- ▶ **MBAR:** VRLTA supports the current requirements that exist governing the sale of mixed beverages.
- ▶ **Delivery:** VRLTA is monitoring any effort to regulate the delivery of alcohol to establishments and supports reasonable regulations.
- ▶ **Distilled Spirits:** VRLTA opposes the continued price increases on distilled spirits sold to Virginia's mixed beverage licensees (restaurants, hotels and caterers). The mark-up on distilled spirits is a discriminatory tax on the Commonwealth's hospitality industry. VRLTA supports wholesale pricing for licensees.
- ▶ **Dram Shop:** VRLTA opposes Dram Shop and all legislation that places third party liability upon hospitality establishments' owners and operators.

### Food Service Issues

- ▶ **Menu Labeling:** VRLTA opposes any state or locally imposed requirement that food content, calorie and/or other nutritional information be displayed on a restaurant menu or otherwise within the retail premises.
- ▶ **Restaurant Grading:** VRLTA opposes all efforts to establish a grading system for restaurants.

## GENERAL BUSINESS PRACTICES

### Competition Parity

- ▶ **Non-GSA Travel Programs:** VRLTA opposes government-mandated per diems and travel programs that supersede programs set forth by the General Services Administration.
- ▶ **OTA/OTC:** VRLTA maintains that lodging should not be liable for collecting or remitting taxes on behalf of an intermediary; VRLTA opposes preferential tax treatment of intermediaries that would not also apply to lodging.
- ▶ **Short Term Online Rental Market:** VRLTA maintains that Short Term Online Rental Market companies should compete on a level playing field and be subject to the same laws and regulations as other businesses competing in the lodging and residential building industries. However, VRLTA opposes attempts to operate residential buildings or other mass occupied non-transient establishments as short-term online rentals in a de facto hotel manner. Further, VRLTA opposes any efforts from short-term online rental market companies to collect and remit taxes, on behalf of the short-term online rental operators utilizing their websites, through agreements that restrict data transparency and auditability.

- ▶ **1099 Reporting Fix:** VRLTA supports requiring all who operate short term rentals should file a 1099-MISC to ensure that appropriate income taxes are being paid as almost every other contractor is required to do.
- ▶ **Unfair Competition:** VRLTA opposes unfair competition practices of state operated campgrounds, lodging, and restaurant facilities, as well as state-owned or operated travel attractions that compete directly with privately owned or operated campgrounds, lodging and restaurant facilities, as well as privately-owned or operated travel attractions.
- ▶ **State Parks:** VRLTA believes that state operated campgrounds and parks should be subject to the same lodging taxes and other applicable taxes as other private businesses operating within the industry.

### Consumer Protection

- ▶ **Human Trafficking:** VRLTA strongly opposes human trafficking and supports enforcement that would eliminate this heinous criminal activity.

### Energy

- ▶ **Offshore Drilling:** VRLTA opposes offshore drilling off the coast of the eastern seaboard.

### Music

- ▶ **Music Licensing:** VRLTA supports songwriters' entitlement to royalties but opposes less-than-professional solicitation and enforcement tactics of music licensing organizations.

### Recycling

- ▶ **Bottle Bill:** VRLTA opposes any requirement that imposes the burden and cost on retailers to recycle beverage containers.
- ▶ **Recycled Bags:** VRLTA supports the use of degradable materials when economically feasible; however, VRLTA opposes any mandatory requirements relating to paper or plastic products, including any ban on the use of such materials as plastic straws, plastic bags or Styrofoam containers.

### Tobacco

- ▶ **Tobacco and Electronic Cigarettes (Vaping):** VRLTA supports a statewide ban on tobacco smoking and vaping in public spaces which provides for no exceptions that could create an inequitable competitive environment among affected businesses.



## Weapons

- ▶ **Weapons On Business Premises:** VRLTA supports the right of private businesses to determine whether to permit patrons and employees to bring weapons onto the business premises, including any parking areas, together with the right of such businesses, at their discretion, to post “no firearms or weapons” signs on the business premises.
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