

Legislative Report
University of Virginia -- Office of State Governmental Relations
February 07, 2007

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HB1619 Virginia Budget Office.

Chief Patron: **Jeffrey M. Frederick**

Summary:

Virginia Budget Office. Establishes in the legislative branch a Virginia Budget Office.

Status:

07/17/06 House: Referred to Committee on General Laws
01/10/07 House: Assigned GL sub: #4 Prof./Occup./Admin. (Cosgrove)
02/01/07 House: Reported from General Laws (22-Y 0-N)
02/01/07 House: Referred to Committee on Appropriations
02/06/07 House: Left in Appropriations

HB1643 Higher education; intellectual diversity.

Chief Patron: **R. Steven Landes**

Summary:

Higher education; intellectual diversity. Requires each public institution of higher education to annually report to the State Council of Higher Education for Virginia (SCHEV) the steps the institution is taking to ensure intellectual diversity and the free exchange of ideas. SCHEV must compile the information and report to the General Assembly by December 31 of each year.

Status:

11/28/06 House: Prefiled and ordered printed; offered 01/10/07 072131376
11/28/06 House: Referred to Committee on Education
01/15/07 House: Assigned Education sub: Higher Education (Rust)
02/06/07 House: Left in Education

HB1658 Purchase of real property by public bodies; survey of property required.

Chief Patron: **Kenneth C. Alexander**

Summary:

Purchase of real property by public bodies; survey of property required. Requires state and local public bodies whenever acquiring a fee simple interest in real property to have a survey of the subject property completed prior to the purchase.

Status:

01/31/07 House: Read third time and passed House (89-Y 11-N)
01/31/07 House: VOTE: PASSAGE (89-Y 11-N)
01/31/07 House: Communicated to Senate
02/01/07 Senate: Constitutional reading dispensed
02/01/07 Senate: Referred to Committee on Local Government

HB1665 Forced or coerced abortion prohibited; penalty.

Chief Patron: **Robert G. Marshall**

Summary:

Forced or coerced abortion prohibited; penalty. Provides that any person who forces or coerces a

pregnant female of any age to have an abortion against her will is guilty of a Class 1 misdemeanor. However, if such a violation is committed by the father or putative father of the unborn child when the pregnant female is less than 18 years of age, and the father or putative father is 18 years of age or older, the father or putative father is guilty of a Class 6 felony.

Status:

01/26/07 House: VOTE: PASSAGE (71-Y 27-N)
01/26/07 House: Communicated to Senate
01/29/07 Senate: Constitutional reading dispensed
01/29/07 Senate: Referred to Committee on Education and Health
02/01/07 Senate: Passed by indefinitely in Education and Health (9-Y 6-N)

HB1681 Two-Year College Transfer Grant Program.

Companion Bill: SB749

Chief Patron: Vincent F. Callahan, Jr.

Summary:

Two-Year College Transfer Grant Program. Establishes the Two-Year College Transfer Grant Program for the purpose of providing higher education grants of \$2,000 per year to domiciles of Virginia who have successfully completed an acceptable associate degree program at a public two-year institution of higher education. The State Council of Higher Education (SCHEV) must promulgate necessary and appropriate regulations for its administration.

To be eligible to receive a grant, a student must (i) have received an associate degree at a Virginia two-year public institution of higher education, (ii) have enrolled in a Virginia four-year public or private institution of higher education by the fall following the award of the associate degree, (iii) have applied for financial aid, and (iv) have financial need.

Eligibility is limited to three academic years or 70 credit hours and must be used only for undergraduate collegiate work in engineering, mathematics, nursing, teaching, or science.

This bill incorporates HB 1872 (Caputo), HB 2168 (Cline), HB 2407 (Athey), HB 2436 (Frederick), and HB 2856 (Moran).

Status:

02/05/07 House: Read third time and passed House (95-Y 2-N)
02/05/07 House: VOTE: PASSAGE (95-Y 2-N)
02/05/07 House: Communicated to Senate
02/06/07 Senate: Constitutional reading dispensed
02/06/07 Senate: Referred to Committee on Education and Health

HB1712 Virginia Pubic Building Authority; prison construction.

Chief Patron: Vincent F. Callahan, Jr.

Summary:

Virginia Pubic Building Authority; prison construction. Authorizes (i) the Virginia Public Building Authority to issue bonds in an amount not to exceed \$106,500,000 for the construction of a medium security prison in the Mt. Rogers Planning District, and for state parks; (ii) the Virginia College Building Authority to issue bonds not to exceed \$241,835,488 to fund the costs of numerous capital projects at public institutions of higher education; and (iii) authorizes the Commonwealth

Transportation Board (CTB) to issue bonds in an amount not to exceed \$2 billion for transportation purposes. The bill dedicates certain insurance premium tax revenue, and \$163 million in surplus funds to pay debt service on the bonds issued by the CTB. The remaining surplus of \$64 million is appropriated to the Transportation Trust Fund.

Status:

02/05/07 House: Read third time and passed House (97-Y 1-N)

02/05/07 House: VOTE: PASSAGE (97-Y 1-N)

02/05/07 House: Communicated to Senate

02/06/07 Senate: Constitutional reading dispensed

02/06/07 Senate: Referred to Committee on Transportation

HB1740 Board of Visitors of the University of Virginia.

Chief Patron: **William H. Fralin, Jr.**

Summary:

Board of Visitors of the University of Virginia. Authorizes the board of visitors of the University of Virginia to invest and manage nongeneral fund reserves and balances as well as local funds of or held by the University. Exempts members of the board of visitors from personal liability for losses suffered by investment of nongeneral fund reserves and balances or local funds of or held by the University. The bill also exempts the investment and management of nongeneral fund reserves and balances and local funds of or held by the University from the Virginia Public Procurement Act. Finally, the bill allows the nongeneral fund reserves and balances and local funds of or held by the University to be invested or reinvested in derivatives, options, and financial securities.

Status:

01/25/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

01/25/07 House: Communicated to Senate

01/26/07 Senate: Constitutional reading dispensed

01/26/07 Senate: Referred to Committee on Education and Health

02/02/07 Senate: Assigned Education sub: Higher Education

HB1768 Stem cell research authorized; requirements.

Chief Patron: **James M. Shuler**

Summary:

Stem cell research authorized; requirements. Authorizes stem cell research involving the derivation and use of human embryonic stem cells, human embryonic germ cells, and human adult stem cells from any source if approved by the Stem Cell Research Oversight Committee. Requires each institution to establish a Stem Cell Research Oversight Committee specifically for the purpose of evaluating and approving such proposals and projects. Additionally, the bill requires that for embryonic stem cells to be eligible for research in the Commonwealth they must meet each of the following requirements: (1) the stem cells must have been donated from in vitro fertilization clinics and must have been created for the purposes of fertility treatment; (2) the stem cells must have been in excess of the needs of the individuals seeking such treatment and would otherwise be discarded (as determined in consultation with the individuals seeking fertility treatment); and (3) the stem cells must have been donated by such individuals with written informed consent and without any financial or other inducements.

Status:

12/27/06 House: Prefiled and ordered printed; offered 01/10/07 077601508
12/27/06 House: Referred to Committee on Health, Welfare and Institutions
01/30/07 House: Passed by in Health, Welfare and Institutions with letter

HB1788 Medical records; itemized list of charges; no fee.

Chief Patron: **Terry G. Kilgore**

Summary:

Medical records; itemized list of charges; no fee. Provides that a party can request and the facility shall produce, if available, an itemized list of charges and such facility shall not charge a copying fee. Also allows for a record to be produced as PDF file and a maximum \$10 search and handling fee.

Status:

12/28/06 House: Prefiled and ordered printed; offered 01/10/07 075044372
12/28/06 House: Referred to Committee for Courts of Justice
01/11/07 House: Assigned Courts sub: Civil Law
02/06/07 House: Left in Courts of Justice

HB1822 Reduced tuition; certain members of the military.

Chief Patron: **Terrie L. Suit**

Summary:

Reduced tuition; certain members of the military. Provides that any active duty members, activated guard or reservist members, or guard or reservist members mobilized or on temporary active orders for six months or more, that are either stationed or assigned by their military service to a work location in Virginia, and residing in Virginia, shall pay tuition to the public institution of higher education in which they are enrolled an amount no more than the amount covered by their military service Tuition Assistance program or the institution's in-state tuition rate, whichever is greater.

Status:

02/01/07 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)
02/01/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)
02/01/07 House: Communicated to Senate
02/02/07 Senate: Constitutional reading dispensed
02/02/07 Senate: Referred to Committee on Education and Health

HB1833 Health insurance credits for retired state employees.

Chief Patron: **Lacey E. Putney**

Summary:

Health insurance credits for retired state employees. Increases the monthly health insurance credit for retired state employees from \$4 for each year of creditable service to \$6 for each year of creditable service.

Status:

01/03/07 House: Prefiled and ordered printed; offered 01/10/07 078507476
01/03/07 House: Referred to Committee on Appropriations

01/10/07 House: Assigned App. sub: Compensation and Retirement (Putney)
02/06/07 House: Left in Appropriations

HB1845 Commonwealth Realignment Commission.

Chief Patron: Christopher B. Saxman

Summary:

Commonwealth Realignment Commission. Creates the Commonwealth Realignment Commission as an independent agency of state government. The purpose of the Commission shall be to review the performance, relevance, and management efficiency of the programs, activities, and agencies of state government. The bill sets out the membership of the Commission and its duties.

Status:

01/03/07 House: Prefiled and ordered printed; offered 01/10/07 078144496
01/03/07 House: Referred to Committee on General Laws
01/10/07 House: Assigned GL sub: #4 Prof./Occup./Admin. (Cosgrove)
01/25/07 House: Tabled in General Laws

HB1846 Joint Commission on Oversight and Government Reform.

Chief Patron: Christopher B. Saxman

Summary:

Joint Commission on Oversight and Government Reform. Creates the Joint Commission on Oversight and Government Reform in the legislative branch of state government. The purpose of the Commission is to review the operations of state agencies and state-funded programs with a view toward the reduction of nonessential programs and expenditures. The Commission shall consist of 10 members of the House of Delegates appointed by the Speaker thereof, of whom at least five shall be members of the House Appropriations Committee, and five members from the Senate appointed by the Privileges and Elections Committee of the Senate, of whom at least two shall be members of the Finance Committee, and the Auditor of Public Accounts, ex officio, who shall have no voting privileges.

Status:

01/03/07 House: Prefiled and ordered printed; offered 01/10/07 078149496
01/03/07 House: Referred to Committee on Rules
01/24/07 House: Tabled in Rules

HB1872 Community College Transfer Scholarship Program.

Chief Patron: C. Charles Caputo

Summary:

Community College Transfer Scholarship Program. Establishes the Community College Transfer Scholarship program, to be administered by the State Council of Higher Education for Virginia, for the purpose of providing higher education scholarships to Virginia domiciles who have successfully completed an acceptable associate degree program at a Virginia community college and have been admitted to an accredited nonprofit public or private institution of higher education in the Commonwealth. To be eligible to receive a scholarship under this program, students must be Virginia domiciles and must have maintained a cumulative grade point average of 3.0 or higher while enrolled in an associate degree program at a Virginia community college. Students may receive scholarships for up to three academic years or 70 credit hours. The amount of scholarships awarded is based on the

difference between the cost of tuition and educational and general fees paid by the recipient at a community college and the average cost of such tuition and fees at a public institution of higher education, as determined by the State Council for Higher Education for Virginia. This bill has been incorporated into HB 1681 (Callahan).

Status:

01/04/07 House: Prefiled and ordered printed; offered 01/10/07 073709262

01/04/07 House: Referred to Committee on Education

01/18/07 House: Assigned Education sub: Higher Education (Rust)

01/24/07 House: Incorporated by Education (HB1681-Callahan)

HB1907 State Auditor.

Chief Patron: **David B. Albo**

Summary:

State Auditor. Creates the Office of State Auditor as of January 1, 2009, and provides for the election of the State Auditor for an eight-year term beginning with the November 2008 election. Repeals the provisions establishing the Auditor of Public Accounts effective January 1, 2009.

Status:

01/04/07 House: Prefiled and ordered printed; offered 01/10/07 078025204

01/04/07 House: Referred to Committee on General Laws

01/10/07 House: Assigned GL sub: #4 Prof./Occup./Admin. (Cosgrove)

01/25/07 House: Tabled in General Laws

HB1917 Virginia Public Procurement Act; required disclosure of the location where services are to be performed under the contract

Companion Bill: **SB861**

Chief Patron: **Jeion A. Ward**

Summary:

Virginia Public Procurement Act; required disclosure of the location where services are to be performed under the contract. Requires prospective vendors for state service contracts to disclose the location where services will be performed under the contract, including any subcontracts, and whether any services under the contract, including any subcontracts, are anticipated to be performed outside of the United States. In addition, the bill provides that the state public body may consider the disclosure of the prospective vendor and the economic impact to the Commonwealth and its citizens in awarding the contract or evaluating the bid or offer. Under the bill, if the vendor subsequently changes the location where the services are performed to a location outside of the United States, then the vendor will be in breach of the contract unless the public body makes a written determination that circumstances required the change in location or termination of the contract would not be in the best interest of the Commonwealth. The bill also provides for the Department of General Services to submit to the Governor and General Assembly by September 30 of each year a report detailing the impact of outsourcing services on the procurement cost of the Commonwealth.

Status:

01/04/07 House: Prefiled and ordered printed; offered 01/10/07 071954534

01/04/07 House: Referred to Committee on General Laws

01/10/07 House: Assigned GL sub: #2 FOIA/Procurement (Marshall, D.)

02/01/07 House: Stricken from docket by General Laws

HB1918 **Federal illegal alien status unlawful in Virginia; penalty.**

Chief Patron: **Mark L. Cole**

Summary:

Federal illegal alien status unlawful in Virginia; penalty. Provides that any alien who is present in the United States illegally, as verified by the Bureau of Immigration and Customs Enforcement, is guilty of a Class 1 misdemeanor.

Status:

01/04/07 House: Prefiled and ordered printed; offered 01/10/07 077768272

01/04/07 House: Referred to Committee for Courts of Justice

01/11/07 House: Assigned Courts sub: Criminal Law

02/02/07 House: Incorporated by Courts of Justice (HB1970-Albo)

HB1939 **Virginia Technology and Biotechnology Research and Development Fund created.**

Chief Patron: **Harry R. Purkey**

Summary:

Virginia Technology and Biotechnology Research and Development Fund created. Creates the Virginia Technology and Biotechnology Research and Development Fund to attract technology or biotechnology companies to, or assist those companies located in, the Commonwealth. Moneys in the Fund shall only be applied to qualified research expenses and basic research payments (as defined by 41 of the Internal Revenue Code) for research conducted in the Commonwealth. Qualified research expenses are defined as in-house expenses or contract research expenses, paid by a technology or biotechnology company. Basic research payments are defined as payments made to companies and nonprofit research institutions and organizations located in the Commonwealth for research in technology and biotechnology. No grant to a company from the Fund is to exceed \$500,000 per year. The Innovative Technology Authority shall administer this fund.

Status:

01/05/07 House: Referred to Committee on Science and Technology

01/15/07 House: Reported from Science and Technology with amendment (22-Y 0-N)

01/15/07 House: Referred to Committee on Appropriations

01/22/07 House: Assigned App. sub: Higher Education (Morgan)

02/06/07 House: Left in Appropriations

HB1941 **Virginia Retirement System; defined contribution retirement plan.**

Chief Patron: **Harry R. Purkey**

Summary:

Virginia Retirement System; defined contribution retirement plan. Creates a new defined contribution retirement plan for all employees who begin employment on or after July 1, 2008, in lieu of participating in any other retirement plan administered by the Virginia Retirement System. All other employees may elect to participate in the plan in lieu of participating in any other retirement plan

administered by the Virginia Retirement System.

Status:

01/05/07 House: Prefiled and ordered printed; offered 01/10/07 078366472
01/05/07 House: Referred to Committee on Appropriations
01/10/07 House: Assigned App. sub: Compensation and Retirement (Putney)
02/06/07 House: Left in Appropriations

HB1944 Criminal history background checks for medical practitioners.

Chief Patron: Harry R. Purkey

Summary:

Criminal history background checks for medical practitioners. Requires criminal history background checks for all individuals seeking initial licenses to practice medicine, osteopathic medicine, chiropractic, or podiatry. Authorizes the Board of Medicine to require background checks of individuals seeking to renew licenses at its discretion. Sets forth crimes for conviction of which the Board may deny a license.

Status:

01/05/07 House: Prefiled and ordered printed; offered 01/10/07 078369472
01/05/07 House: Referred to Committee on Health, Welfare and Institutions
01/16/07 House: Passed by in Health, Welfare and Institutions with letter

HB1947 Hospital-Emergency Treatment Reimbursement Fund.

Chief Patron: Harry R. Purkey

Summary:

Hospital-Emergency Treatment Reimbursement Fund. Requires employers to withhold from wages payable to employees who are not covered by a health insurance policy an amount equal to five percent of their wages. The withheld moneys are to be remitted to the State Corporation Commission, which will allocate the funds among the licensed hospitals that have provided emergency care for which they have not been paid, based on the ratio of each hospital's unpaid costs to the statewide total. The Health Commissioner is required to collect information from licensed hospitals regarding the amount of their unpaid emergency care. Only hospitals that provide the requested data are eligible to receive distributions from the Fund.

Status:

01/05/07 House: Prefiled and ordered printed; offered 01/10/07 078259472
01/05/07 House: Referred to Committee on Commerce and Labor
01/19/07 House: Assigned C & L sub: Insurance (Hargrove)
02/06/07 House: Left in Commerce and Labor

HB1970 Federal illegal alien status unlawful in Virginia; penalty.

Chief Patron: David B. Albo

Summary:

Federal illegal alien status unlawful in Virginia; penalty. Provides that any alien who is present in the United States illegally and is removable, as verified by the Bureau of Immigration and Customs Enforcement, is guilty of a Class 1 misdemeanor, but the offense is not a primary offense.

Status:

02/05/07 House: Pending question ordered
02/05/07 House: Engrossed by House - floor substitute HB1970H2
02/06/07 House: Read third time and passed House (70-Y 28-N)
02/06/07 House: VOTE: PASSAGE (70-Y 28-N)
02/06/07 House: Communicated to Senate

HB1973 Optional retirement plan; institutions of higher education.

Chief Patron: **James M. Shuler**

Summary:

Optional retirement plan; institutions of higher education. Provides that the annual contribution to optional retirement plans covering certain employees at institutions of higher education would not be less than the percentage contribution rate in effect that is generally applicable for state employees who are members of the Virginia Retirement System, including the five percent member contribution rate.

Status:

01/05/07 House: Prefiled and ordered printed; offered 01/10/07 074233508
01/05/07 House: Referred to Committee on Appropriations
01/10/07 House: Assigned App. sub: Compensation and Retirement (Putney)
02/06/07 House: Left in Appropriations

HB1975 Health insurance; mandated coverage for CyberKnife procedures.

Chief Patron: **William H. Fralin, Jr.**

Summary:

Health insurance; mandated coverage for CyberKnife procedures. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the cost of procedures utilizing CyberKnife or a like noninvasive radiosurgery technology that uses an image guided localization system to locate the position of a tumor and deliver concentrated and accurate beams of radiation to targets for the treatment of cancerous tumors.

Status:

01/05/07 House: Prefiled and ordered printed; offered 01/10/07 075043302
01/05/07 House: Referred to Committee on Commerce and Labor
01/25/07 House: Stricken from docket by Commerce and Labor

HB2034 Payment for health care costs of prisoners.

Chief Patron: **Phillip A. Hamilton**

Summary:

Payment for health care costs of prisoners. Requires that payment by local and state correctional facilities for costs incurred for health care for prisoners not exceed the lesser of the amount that would be paid under Medicare or Medicaid.

Status:

02/03/07 House: Read first time
02/05/07 House: Read second time and engrossed

02/06/07 House: Read third time and passed House (67-Y 27-N 2-A)

02/06/07 House: VOTE: PASSAGE (67-Y 27-N 2-A)

02/06/07 House: Communicated to Senate

HB2037 Administration of drugs or devices, addition of medical assistants

Chief Patron: Phillip A. Hamilton

Summary:

Administration of drugs or devices, addition of medical assistants. Authorizes personnel who have been properly trained to assist a doctor of medicine or osteopathic medicine who are acting pursuant to a specific order for a patient and under a doctor's direct and immediate supervision to administer controlled substances, provided the method does not include intravenous, intrathecal, or epidural administration and the prescriber remains responsible for the administration.

Status:

02/02/07 Senate: Constitutional reading dispensed (40-Y 0-N)

02/02/07 Senate: VOTE: (40-Y 0-N)

02/05/07 Senate: Read third time

02/05/07 Senate: Passed Senate (39-Y 0-N)

02/05/07 Senate: VOTE: (39-Y 0-N)

HB2125 Coerced abortions prohibited

Chief Patron: Robert G. Marshall

Summary:

Coerced abortions prohibited. Prohibits coerced abortions and provides a civil remedy on behalf of the female and the unborn child against the person who coerced it.

Status:

01/08/07 House: Prefiled and ordered printed; offered 01/10/07 073074396

01/08/07 House: Referred to Committee for Courts of Justice

02/06/07 House: Left in Courts of Justice

HB2134 Admission of in-state students at public institutions of higher education.

Chief Patron: Timothy D. Hugo

Summary:

Admission of in-state students at public institutions of higher education. Provides that the board of visitors or other governing body of each public institution of higher education must establish rules and regulations requiring that at least 75% of students admitted and enrolled at the institution be Virginia domiciles.

Status:

01/08/07 House: Prefiled and ordered printed; offered 01/10/07 078279332

01/08/07 House: Referred to Committee on Education

01/18/07 House: Assigned Education sub: Higher Education (Rust)

02/06/07 House: Left in Education

HB2137 Procurement of services by certain state agencies.

Chief Patron: Benjamin L. Cline

Summary:

Procurement of services by certain state agencies. Requires the Division of Purchases and Supply of the Department of General Services, the CIO of VITA, and the Director Of SCHEV to solicit from each state agency under their respective control a list of all procurements conducted by an agency that were competed with the private sector. The bill also requires that the Commonwealth Competition Council update its commercial activities list every two years.

Status:

01/24/07 House: Read third time and passed House (97-Y 0-N)
01/24/07 House: VOTE: PASSAGE (97-Y 0-N)
01/24/07 House: Communicated to Senate
01/25/07 Senate: Constitutional reading dispensed
01/25/07 Senate: Referred to Committee on General Laws and Technology

HB2155 Certificate of Public Need.

Chief Patron: John M. O'Bannon, III

Summary:

Certificate of Public Need. Eliminates regional health planning agencies from the Certificate of Public Need (COPN) review process; exempts all equipment valued at less than \$500,000 from the requirement of a COPN; increases the review threshold for capital expenditures; streamlines the approval process by increasing the number of facilities and services for which the Commissioner may issue COPNs in response to a request for applications only; creates a reporting requirement in 32.1-102.4, requiring facilities holding a certificate to report specified information related to patient and charity care volumes, expenditures, and revenues and establishes penalties for failure to report; allows the Department to refuse to accept an application that is not complete for a current review cycle; and makes other changes to streamline the COPN review and approval process.

Status:

01/09/07 House: Prefiled and ordered printed; offered 01/10/07 077607440
01/09/07 House: Referred to Committee on Health, Welfare and Institutions
01/30/07 House: Stricken from docket by Health, Welfare and Institutions

HB2156 Health insurance; mandated coverage for evaluations of brain tumors.

Chief Patron: John M. O'Bannon, III

Summary:

Health insurance; mandated coverage for evaluations of brain tumors. Requires health insurers, health maintenance organizations, and corporations providing healthcare coverage subscription contracts to provide coverage for a second opinion evaluation, at a medical center designated by the National Cancer Institute as a comprehensive cancer center, of a brain tumor that has been diagnosed as a primary malignant brain tumor.

Status:

01/09/07 House: Prefiled and ordered printed; offered 01/10/07 070157440
01/09/07 House: Referred to Committee on Commerce and Labor
01/16/07 House: Tabled in Commerce and Labor

HB2197 Technology protection measures; public libraries.

Chief Patron: **Samuel A. Nixon, Jr.**

Summary:

Technology protection measures; public libraries. Requires the library board or governing body of a library that receives state funding for any purpose to include in its acceptable use policy for the Internet provisions on selecting and installing on those computers that have Internet access a technology protection measure to filter or block Internet access through such computers to child pornography as set out in 18.2-374.1:1, obscenity as defined in 18.2-372, and, with respect to minors, materials deemed harmful to juveniles as defined in 18.2-390. The bill also requires the policy to include a provision for disabling the technology protection measure at the request of a patron in instances of bona fide research or other lawful purposes.

Status:

02/02/07 House: Read third time and passed House (80-Y 14-N)
02/02/07 House: VOTE: PASSAGE (80-Y 14-N)
02/02/07 House: Communicated to Senate
02/05/07 Senate: Constitutional reading dispensed
02/05/07 Senate: Referred to Committee on General Laws and Technology

HB2235 Concealed handgun permits; recognition of out-of-state permits.

Chief Patron: **David A. Nutter**

Summary:

Concealed handgun permits; recognition of out-of-state permits. Allows any person who is at least 21 years of age with a valid concealed handgun or concealed weapons permit issued by another state to carry a concealed handgun in the Commonwealth, so long as he also has a valid government-issued photo identification.

Status:

02/03/07 House: Read first time
02/05/07 House: Read second time and engrossed
02/06/07 House: Read third time and passed House (80-Y 19-N)
02/06/07 House: VOTE: PASSAGE (80-Y 19-N)
02/06/07 House: Communicated to Senate

HB2238 State Council of Higher Education for Virginia; creation of nonstock corporation to support academic research.

Chief Patron: **David A. Nutter**

Summary:

State Council of Higher Education for Virginia; creation of nonstock corporation to support academic research. Requires the State Council of Higher Education for Virginia to establish a nonprofit, nonstock corporation under Chapter 10 (13.1-801 et seq.) of Title 13.1 as a public instrumentality exercising public and essential governmental functions to assist the Council in (i) supporting academic research in Virginia; (ii) encouraging research initiatives, with emphasis on biological systems and nanotechnology, to support Virginia industry; (iii) directing the disbursement of funds for such research

initiatives based on established scientific criteria from the Academic Research Initiative Fund created pursuant to this section; and (iv) conducting or undertaking other activities useful in carrying out the provisions of this section. The Council shall require such corporation to report to it at least annually on its activities. The bill sets out the composition of the board of directors for such corporation.

Status:

02/05/07 House: Engrossed by House as amended HB2238E
02/05/07 House: Printed as engrossed 075721436-E
02/06/07 House: Read third time and passed House (89-Y 10-N)
02/06/07 House: VOTE: PASSAGE (89-Y 10-N)
02/06/07 House: Communicated to Senate

HB2273 Study; Virginia Commission on Deregulation.

Chief Patron: Harry R. Purkey

Summary:

Study; Virginia Commission on Deregulation. Creates the 15-member Virginia Commission on Deregulation to study sectors of Virginia's economy that could be deregulated. The Commission expires on July 1, 2010.

Status:

01/09/07 House: Prefiled and ordered printed; offered 01/10/07 076108472
01/09/07 House: Referred to Committee on Rules
01/24/07 House: Tabled in Rules

HB2274 Certificate of public need; deregulation of health care facilities.

Chief Patron: Harry R. Purkey

Summary:

Certificate of public need; deregulation of health care facilities. Establishes a three-phase, three year plan for the repeal of the certificate of public need (COPN) program. Requires that providers of services COPN-deregulated services shall comply with licensure requirements promulgated and administered by the Board of Health, consistent with appropriate existing, nationally recognized accreditation standards and shall report claims data, certain quality outcome information for selected high risk procedures, and annual financial information on indigent care. Calls for studies of the effects of the deregulation and various related health care issues at each phase of the deregulation.

Status:

01/09/07 House: Prefiled and ordered printed; offered 01/10/07 077620472
01/09/07 House: Referred to Committee on Health, Welfare and Institutions
01/30/07 House: Stricken from docket by Health, Welfare and Institutions

HB2275 Virginia Nanotechnology Authority; established.

Chief Patron: Harry R. Purkey

Summary:

Virginia Nanotechnology Authority; established. Establishes the Virginia Nanotechnology Authority to promote development of nanotechnology in Virginia. The Authority will be responsible for administering a fund to be used to provide industry and institutions of higher education with discovery

grants, collaboration grants, and prototype grants. The Authority will be governed by a board of directors and managed by a president at the direction of the Board. The president is responsible for creating a virtual Nanotechnology Users Network to facilitate research and development of nanotechnology at the Commonwealth's institutions of higher education.

Status:

01/29/07 House: Reported from Science and Technology with substitute (18-Y 0-N)
01/29/07 House: Referred to Committee on Appropriations
01/30/07 House: Committee substitute printed 075745472-H1
02/01/07 House: Assigned App. sub: Compensation and Retirement (Putney)
02/06/07 House: Left in Appropriations

HB2276 Certificate of public need.

Chief Patron: **Harry R. Purkey**

Summary:

Certificate of public need. Establishes a two part review process for contested and uncontested applications; reduces review period for contested applications to 90 days and uncontested applications to 60 days. Reduces fees for certificates of public need to a maximum of \$10,000 for contested applications and \$5,000 for uncontested applications. Establishes requirement that final and complete certificate of public need applications may be no more than 20 pages in length. Applies provisions concerning personal interests in transactions to members of regional health planning agencies and requires members of regional health planning agencies to file personal disclosure statements.

Status:

01/09/07 House: Prefiled and ordered printed; offered 01/10/07 075071472
01/09/07 House: Referred to Committee on Health, Welfare and Institutions
01/30/07 House: Failed to report (defeated) in Health, Welfare and Institutions (8-Y 14-N)

HB2277 Certificates of Public Need.

Chief Patron: **Harry R. Purkey**

Summary:

Certificates of Public Need. Eliminates regional health planning agencies from the Certificate of Public Need review process.

Status:

01/09/07 House: Prefiled and ordered printed; offered 01/10/07 077602472
01/09/07 House: Referred to Committee on Health, Welfare and Institutions
01/30/07 House: Stricken from docket by Health, Welfare and Institutions

HB2300 Regulation of firearms.

Chief Patron: **Mark L. Cole**

Summary:

Regulation of firearms. Prohibits a state agency, council, commission, or other entity or a state institution of higher education from adopting any rules, regulations, or policies governing the purchase, possession, transfer, ownership, carrying, storage, or transporting of firearms, ammunition, or components or combinations thereof, unless expressly authorized by statute. The prohibition does not

apply to state, local, and regional correctional facilities, nor is it to be construed to prohibit a law-enforcement officer from acting within the scope of his duties. Any rule, regulation, or policy adopted prior to July 1, 2007, except for those specifically authorized by statute, will be invalid.

Status:

01/09/07 House: Prefiled and ordered printed; offered 01/10/07 075840272

01/09/07 House: Referred to Committee on Militia, Police and Public Safety

02/06/07 House: Left in Militia, Police and Public Safety

HB2301 Informed consent to an abortion.

Chief Patron: Mark L. Cole

Summary:

Informed consent to an abortion. Provides that informed consent to an abortion shall include a determination by a physician, who shall neither perform the abortion nor gain financially by the performance of the abortion, of the viability of the pregnancy as indicated by the presence of a fetal sac within the uterus and of fetal cardiac activity.

Status:

01/09/07 House: Prefiled and ordered printed; offered 01/10/07 072159272

01/09/07 House: Referred to Committee for Courts of Justice

02/06/07 House: Left in Courts of Justice

HB2319 Definition of abused or neglected child.

Companion Bill: SB905

Chief Patron: John J. Welch, III

Summary:

Definition of abused or neglected child. Specifies that a decision by parents or other person with legal authority over a child to refuse a particular medical treatment for a child with a life-threatening condition shall not be deemed a refusal to provide necessary care if i) such decision is made jointly by the parents or other person responsible, and the child; ii) the child is sufficiently mature to have an informed opinion on the subject of his medical treatment; iii) the parents or other person responsible, and the child have considered alternative treatment options; and iv) the parents or other person responsible, and the child believe in good faith that such decision is in the child's best interest.

Status:

02/05/07 House: Read third time and passed House (87-Y 9-N 1-A)

02/05/07 House: VOTE: PASSAGE (87-Y 9-N 1-A)

02/05/07 House: Communicated to Senate

02/06/07 Senate: Constitutional reading dispensed

02/06/07 Senate: Referred to Committee on Rehabilitation and Social Services

HB2337 Ingestion of drugs by pregnant woman as child abuse; penalty.

Chief Patron: C. Todd Gilbert

Summary:

Ingestion of drugs by pregnant woman as child abuse; penalty. Provides that any pregnant female who intentionally ingests a Schedule I or II controlled substance without a prescription or, if prescribed for

her, in a manner inconsistent with the prescription is guilty of an act so gross, wanton and culpable as to show a reckless disregard for human life and is guilty of child abuse and neglect, a Class 6 felony. Presence in the pregnant female's bloodstream of an illegal Schedule I or II controlled substance or a legal Schedule I or II controlled substance in a quantity inconsistent with her prescription raises an inference that the substance was ingested intentionally.

Status:

01/09/07 House: Prefiled and ordered printed; offered 01/10/07 074397306

01/09/07 House: Referred to Committee for Courts of Justice

01/16/07 House: Assigned Courts sub: Criminal Law

02/06/07 House: Left in Courts of Justice

HB2406 Possession of concealed weapons.

Chief Patron: Clifford L. Athey, Jr.

Summary:

Possession of concealed weapons. Creates a new exemption to the general prohibition against carrying concealed weapons by allowing a person who may lawfully possess a firearm to carry a handgun in a private motor vehicle or boat if the handgun is locked in a container or compartment.

Status:

01/09/07 House: Prefiled and ordered printed; offered 01/10/07 074456220

01/09/07 House: Referred to Committee on Militia, Police and Public Safety

02/06/07 House: Left in Militia, Police and Public Safety

HB2407 Community College Transfer Grant program.

Chief Patron: Clifford L. Athey, Jr.

Summary:

Community College Transfer Grant program. Establishes the Community College Transfer Grant program, to be administered by the State Council of Higher Education for Virginia, for the purpose of providing higher education grants to domiciles of Virginia who have successfully completed an acceptable associate degree program at a Virginia community college and have been admitted to a public institution of higher education in the Commonwealth. To be eligible to receive a grant under this program, students must be Virginia domiciles and must have maintained a cumulative grade point average of 3.0 or higher while enrolled in an associate degree program at a Virginia community college. Students may receive grants for up to two academic years. The amount of grants awarded is based on the difference between the cost of tuition and educational and general fees paid by the recipient at a community college and the cost of such tuition and fees at the public institution of higher education in which the student has been enrolled. As an incentive to institutions of higher education enrolling grant recipients, each such college or university will receive a grant of an amount specified in the appropriation act for each student it enrolls who receives a community college transfer grant. This bill has been incorporated into HB 1681 (Callahan).

Status:

01/09/07 House: Prefiled and ordered printed; offered 01/10/07 075244220

01/09/07 House: Referred to Committee on Education

01/18/07 House: Assigned Education sub: Higher Education (Rust)

01/24/07 House: Incorporated by Education (HB1681-Callahan)

HB2408 Higher education; articulation agreements.

Chief Patron: Clifford L. Athey, Jr.

Summary:

Higher education; articulation agreements. Requires the State Council of Higher Education for Virginia to submit an annual report to the Senate Committee on Education and Health and the House Committee on Education specifying the total number of transfer students from the Virginia Community College System that each institution of higher education admitted, enrolled, and graduated.

Status:

02/02/07 Senate: Constitutional reading dispensed (40-Y 0-N)

02/02/07 Senate: VOTE: (40-Y 0-N)

02/05/07 Senate: Read third time

02/05/07 Senate: Passed Senate (39-Y 0-N)

02/05/07 Senate: VOTE: (39-Y 0-N)

HB2436 Community College Transfer Grant program.

Chief Patron: Jeffrey M. Frederick

Summary:

Community College Transfer Grant program. Establishes the Community College Transfer Grant program, to be administered by the State Council of Higher Education for Virginia, for the purpose of providing higher education grants to domiciles of Virginia who have successfully completed an acceptable associate degree program at a Virginia community college and have been admitted to a public institution of higher education in the Commonwealth. To be eligible to receive a grant under this program, students must be Virginia domiciles and must have maintained a cumulative grade point average of 3.0 or higher while enrolled in an associate degree program at a Virginia community college. Students may receive grants for up to two academic years. The amount of grants awarded is based on the difference between the cost of tuition and educational and general fees paid by the recipient at a community college and the cost of such tuition and fees at the public institution of higher education in which the student has been enrolled. As an incentive to institutions of higher education enrolling grant recipients, each such college or university will receive a grant of an amount specified in the appropriation act for each student it enrolls who receives a community college transfer grant. This bill has been incorporated into HB 1681 (Callahan).

Status:

01/09/07 House: Prefiled and ordered printed; offered 01/10/07 078616303

01/09/07 House: Referred to Committee on Education

01/18/07 House: Assigned Education sub: Higher Education (Rust)

01/24/07 House: Incorporated by Education (HB1681-Callahan)

HB2448 Virginia Security and Immigration Compliance Act; penalty.

Chief Patron: Jeffrey M. Frederick

Summary:

Virginia Security and Immigration Compliance Act; penalty. Requires that a jailer shall reasonably attempt to verify citizen status of certain persons who are confined in jail

Status:

02/05/07 House: Committee substitute agreed to 070087303-H1
02/05/07 House: Engrossed by House - committee substitute HB2448H1
02/06/07 House: Read third time and passed House (90-Y 6-N)
02/06/07 House: VOTE: PASSAGE (90-Y 6-N)
02/06/07 House: Communicated to Senate

HB2456 Anesthesia for fetuses.

Chief Patron: **Benjamin L. Cline**

Summary:

Anesthesia for fetuses. Requires doctors to offer to anesthetize a fetus prior to abortion and to include in informational materials a statement that a fetus at 20 gestational weeks has the physical structures necessary to feel pain and react to physical stimuli in a manner that, in an infant or adult, would be interpreted as a response to pain.

Status:

02/03/07 House: Read first time
02/05/07 House: Read second time and engrossed
02/06/07 House: Read third time and passed House (69-Y 29-N)
02/06/07 House: VOTE: PASSAGE (69-Y 29-N)
02/06/07 House: Communicated to Senate

HB2513 Economic education and financial literacy programs at institutions of higher education

Chief Patron: **Dwight Clinton Jones**

Summary:

Economic education and financial literacy programs at institutions of higher education. Currently, institutions of higher education are required to make provision to promote the development of student life skills in the areas of economic education and financial literacy through existing general education courses, the freshman orientation process, or another appropriate venue. The bill expands the subjects that may be covered in such programs to include savings and investments, predatory lending practices and interest rates, consumer fraud, and identity theft and protection.

Status:

02/02/07 Senate: Constitutional reading dispensed (40-Y 0-N)
02/02/07 Senate: VOTE: (40-Y 0-N)
02/05/07 Senate: Read third time
02/05/07 Senate: Passed Senate (39-Y 0-N)
02/05/07 Senate: VOTE: (39-Y 0-N)

HB2555 Department of General Services; Green Buildings Act.

Chief Patron: **Adam P. Ebbin**

Summary:

Department of General Services; Green Buildings Act. Requires all major facility projects of state agencies to be constructed to meet the United States Green Building Council Leadership in Energy and

Environment Design (LEED) silver certification standard, unless granted an exemption by the Director of the Department of General Services. Such projects will not be required to obtain official LEED certification. Application of the requirement will be phased in over the next three years based on the square footage of the project. The provisions of the bill do not apply to construction projects of public school districts.

Status:

01/09/07 House: Prefiled and ordered printed; offered 01/10/07 071550300

01/09/07 House: Referred to Committee on General Laws

01/15/07 House: Assigned GL sub: #2 FOIA/Procurement (Marshall, D.)

02/01/07 House: Passed by in General Laws with letter

HB2562 Joint payment of health insurance claims.

Chief Patron: **R. Lee Ware, Jr.**

Summary:

Joint payment of health insurance claims. Requires every health insurer, health services plan, or health maintenance organization, when paying a claim for services rendered by a health care provider that does not participate in the provider panel, to pay the claim by sending a check made payable to both the insured, subscriber, or member and to the nonparticipating health services provider.

Status:

01/10/07 House: Prefiled and ordered printed; offered 01/10/07 075091540

01/10/07 House: Referred to Committee on Commerce and Labor

02/01/07 House: Failed to report (defeated) in Commerce and Labor (9-Y 12-N)

HB2567 Human research review committees; publication of results.

Chief Patron: **Stephen C. Shannon**

Summary:

Human research review committees; publication of results. Provides that each human research review committee of an institution or agency shall ensure that the approved human research projects and the results of such projects are made public on the institution's or agency's website unless otherwise exempt from disclosure under the Virginia Freedom of Information Act.

Status:

01/26/07 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)

01/26/07 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

01/26/07 House: Communicated to Senate

01/29/07 Senate: Constitutional reading dispensed

01/29/07 Senate: Referred to Committee on Education and Health

HB2582 Virginia Public Procurement Act; modification of contracts.

Chief Patron: **William R. Janis**

Summary:

Virginia Public Procurement Act; modification of contracts. Clarifies that public bodies can include contract provisions allowing contract modifications for differing conditions or price escalations or de-escalations.

Status:

01/10/07 House: Prefiled and ordered printed; offered 01/10/07 070034348

01/10/07 House: Referred to Committee on General Laws

01/15/07 House: Assigned GL sub: #2 FOIA/Procurement (Marshall, D.)

02/01/07 House: Stricken from docket by General Laws

HB2583 Health records; surgical complications reporting.

Chief Patron: William R. Janis

Summary:

Health records; surgical complications reporting. Requires physicians to report complications resulting from elective outpatient surgical procedures. The report shall not contain any identifying information. Willful failure to report shall constitute a Class 1 misdemeanor.

Status:

01/10/07 House: Prefiled and ordered printed; offered 01/10/07 072407348

01/10/07 House: Referred to Committee on Health, Welfare and Institutions

01/30/07 House: Tabled in Health, Welfare and Institutions

HB2590 Tuition and fees waiver; military survivors and public safety personnel.

Chief Patron: William R. Janis

Summary:

Tuition and fees waiver; military survivors and public safety personnel. Clarifies that qualified survivors and dependents shall receive an education free of (i) tuition and all required fees; (ii) institutional charges; (iii) general or college fees, or any charges by whatever term referred to; (iv) board and room rent; and (v) charges for books and supplies at any public institution of higher education or other public accredited postsecondary institution granting a degree, diploma, or certificate in the Commonwealth of Virginia.

Status:

01/10/07 House: Prefiled and ordered printed; offered 01/10/07 072406348

01/10/07 House: Referred to Committee on Education

01/18/07 House: Assigned Education sub: Higher Education (Rust)

02/06/07 House: Left in Education

HB2604 Waiver of tuition for children and spouses of certain public safety personnel.

Companion Bill: SB1187

Chief Patron: Dwight Clinton Jones

Summary:

Waiver of tuition for children and spouses of certain public safety personnel. Amends the provisions of the Code allowing the spouse and children of certain deceased public safety personnel to attend a Virginia state-supported institution of higher education free of tuition and fees. If the spouse or children are entitled to benefits under the Line of Duty Act, then they are also entitled to the tuition waiver. The tuition waiver program is currently drawn more narrowly than the Line of Duty Act.

Status:

01/10/07 House: Referred to Committee on Education
01/22/07 House: Reported from Education (21-Y 0-N)
01/22/07 House: Referred to Committee on Appropriations
01/24/07 House: Assigned App. sub: Higher Education (Morgan)
02/06/07 House: Left in Appropriations

HB2630 Virginia Military Survivors and Dependents Education Program.

Chief Patron: John S. Reid

Summary:

Virginia Military Survivors and Dependents Education Program. Revises the Virginia Military Survivors and Dependents Education Program to clarify that qualified survivors and dependents shall be admitted to any public institution of higher education or other public accredited postsecondary institution of higher education or other public accredited postsecondary institution granting a degree, diploma, or certificate in the Commonwealth of Virginia, free of tuition and all required fees.

Establishes the Virginia Military Survivors and Dependents Education Fund to provide financial assistance for board and room charges, books and supplies, and other expenses. The State Council of Higher Education for Virginia is responsible for disbursing funds appropriated or otherwise made available to support the Fund. There are several technical amendments. This bill has been incorporated into HB 2179 (Janis).

Status:

01/10/07 House: Prefiled and ordered printed; offered 01/10/07 072331488
01/10/07 House: Referred to Committee on Education
01/18/07 House: Assigned Education sub: Higher Education (Rust)
01/24/07 House: Incorporated by Education (HB2179-Janis)

HB2648 Producing abortion or miscarriage, etc.; penalty.

Chief Patron: S. Chris Jones

Summary:

Producing abortion or miscarriage, etc.; penalty. Provides that any person, including the pregnant female, who administers to or causes to be taken by a pregnant female any drug or other thing or uses means, with intent to destroy her unborn child, or to produce abortion or miscarriage and thereby destroys such child or produces such abortion or miscarriage is guilty of a Class 4 felony. The bill excepts medically approved contraceptives as a means of producing abortion or miscarriage. Current law does not with specificity include the pregnant female as a possible perpetrator.

Status:

02/05/07 House: Engrossed by House as amended HB2648E
02/05/07 House: Printed as engrossed 078028366-E
02/06/07 House: Read third time and passed House (72-Y 25-N)
02/06/07 House: VOTE: PASSAGE (72-Y 25-N)
02/06/07 House: Communicated to Senate

HB2656 Department of General Services; capital outlay projects; green buildings.

Chief Patron: Dave W. Marsden

Summary:

Department of General Services; capital outlay projects; green buildings. Requires all departments, agencies, and institutions of the Commonwealth to ensure that the design and construction of state-owned buildings comply with the LEED Silver standard established by the United States Green Building Council unless an exemption is granted by the Division of Engineering and Buildings of the Department of General Services. The bill provides for an appeal process to the Division that shall include a requirement that a department, agency, or institution demonstrate that the project requirements would result in a cost that is at least 15 percent higher than the desired design cost if the project were built to the LEED Silver Standard.

Status:

01/10/07 House: Prefiled and ordered printed; offered 01/10/07 074447390
01/10/07 House: Referred to Committee on General Laws
01/15/07 House: Assigned GL sub: #2 FOIA/Procurement (Marshall, D.)
02/01/07 House: Incorporated by General Laws (HB2555-Ebbin)

HB2664 Department of Planning and Budget, reestimate of agency needs.

Chief Patron: Dave W. Marsden

Summary:

Department of Planning and Budget, reestimate of agency needs. Provides that within five business days after the preliminary close of the Commonwealth's accounts at the end of each fiscal year, each of the several state agencies and other agencies and undertakings receiving financial aid from the Commonwealth shall report to the Department of Planning and Budget, in a format prescribed for such purpose, an estimate of cost reductions that may be accomplished by the agency without diminution of the services or programs provided by the agency. Of the reductions so identified, 50 percent shall be retained by the agency for its use; the remaining 50 percent shall be returned to the general fund to be directed first (i) to the revenue stabilization fund created in accordance with Article X, 8 of the Constitution of Virginia and thereafter (ii) to debt relief. Any moneys retained by an agency which have not been spent at the end of three quarters of the next fiscal year shall revert to the general fund.

Status:

01/10/07 House: Referred to Committee on General Laws
01/15/07 House: Assigned GL sub: #4 Prof./Occup./Admin. (Cosgrove)
02/01/07 House: Reported from General Laws (22-Y 0-N)
02/01/07 House: Referred to Committee on Appropriations
02/06/07 House: Left in Appropriations

HB2667 Jurisdiction of localities to zone; signs.

Companion Bill: SB1323

Chief Patron: David L. Bulova

Summary:

Jurisdiction of localities to zone; signs. Provides that for the purpose of zoning, the governing body of a

locality shall have jurisdiction over any advertising structure or any sign located on real property held, operated, or possessed by an educational institution described as being "at" such locality if such advertisement structure or any part of the advertising or informative contents of such sign is visible from real property that is not held, operated, or possessed by such educational institution. Nothing contained herein shall impair, limit, modify, or supersede any expressed term of any management agreement entered into on or before January 1, 2007.

Status:

01/10/07 House: Prefiled and ordered printed; offered 01/10/07 071648254

01/10/07 House: Referred to Committee on Counties, Cities and Towns

01/22/07 House: Assigned CC & T sub: #2 (Dudley)

02/06/07 House: Left in Counties, Cities and Towns

HB2749 Sex offender registration; child pornography; penalties.

Companion Bill: **SB 1071**

Chief Patron: **Robert Hurt**

Summary:

Sex offender registration; child pornography; penalties. Requires a sex offender to include in the registration information any electronic mail address and any instant messaging screen name that he uses or will use. A sex offender must register any changes in email addresses, instant message, or other identity information within 30 minutes of such information changing. The bill defines child pornography as sexually explicit visual material which utilizes or has as a subject a person less than 18 years of age. The bill establishes enhanced penalties for the production, distribution, solicitation, participation, financing, or photographing of child pornography. The bill also clarifies that a person depicted by text or title or who appears to be less than 18 years of age in sexually explicit material is inferred to be less than 18 years of age. The bill repeals 18.2-374.1:2 but inserts similar language in 18.2-374.1:1 relating to facilitating payment for or access to child pornography.

Status:

02/05/07 House: Committee substitute agreed to 077816340-H1

02/05/07 House: Engrossed by House - committee substitute HB2749H1

02/06/07 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

02/06/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

02/06/07 House: Communicated to Senate

HB2808 Requirement of ultrasound testing as part of informed consent for abortion.

Chief Patron: **Kathy J. Byron**

Summary:

Requirement of ultrasound testing as part of informed consent for abortion. Requires that, as a component of informed consent to an abortion, every pregnant female shall be given the opportunity to view an ultrasound image of her unborn child prior to the abortion.

Status:

02/05/07 House: Committee substitute agreed to 077037256-H1

02/05/07 House: Engrossed by House - committee substitute HB2808H1

02/06/07 House: Read third time and passed House (60-Y 38-N)

02/06/07 House: VOTE: PASSAGE (60-Y 38-N)

02/06/07 House: Communicated to Senate

HB2826 Virginia Security and Immigration Compliance Act.

Chief Patron: **C. Todd Gilbert**

Summary:

Virginia Security and Immigration Compliance Act. Requires all public bodies and contractors who intend to contract with public bodies to register and participate in a federal work authorization program to verify information on all new employees. "Federal work authorization program" is defined as any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or any equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees pursuant to the Immigration Reform and Control Act of 1986.

The bill also expands the current definition of extortion to include situations in which a person knowingly destroys, conceals, removes, confiscates, or possesses any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person and thereby extorts money, property, or pecuniary benefit or any note, bond, or other evidence of debt from him or any other person. This manner of extortion shall be punishable as a Class 5 felony.

The bill requires that a law-enforcement officer report to the United States Immigration and Customs Enforcement Agency a person whom (i) he has arrested for a felony or for DUI and (ii) he has probable cause to believe is in the United States illegally.

This bill also provides regulations for those who provide immigration assistance services. This includes all people who complete government agency forms, transcribe responses to government agency forms, translate information on government agency forms and translate responses to questions posed on the forms, secure supporting documents that may need to be submitted with government agency forms, translate documents from a foreign language into English, notarize signatures, make referrals to immigration attorneys, prepare photographs and fingerprinting, arrange for medical testing, and conduct English language and civics courses. This section does not apply to attorneys, law clerks, or those people certified to assist immigrants by the United States Board of Immigration Appeals. It also states that those providing services must clearly state in English and other languages that they are not attorneys and may not give legal advice or accept fees for legal advice. This section also regulates advertisements placed by providers of immigration services. It states that no person who provides immigration services who is not exempted under the section shall accept payment in exchange for providing legal advice, refuse to return documents supplied by, prepared on behalf of, or paid for by the customer, represent or advertise titles or credentials, or make any false statements to induce patronage. Any person who violates any provisions of the section is guilty of a Class 2 misdemeanor for a first offense and a Class 1 misdemeanor for a second or subsequent offense committed within five years of a previous conviction under this section.

Finally, the bill requires taxpayers who take a deduction on their federal income tax returns for wages paid to employees who are aliens and who have not provided documents indicating that they are legally eligible for employment in the United States to add such wages back for purposes of calculating Virginia taxable income, for taxable years beginning on or after January 1, 2008.

Status:

01/16/07 House: Assigned GL sub: #3 ABC/Gaming (Gear)
01/18/07 House: Referred from General Laws
01/18/07 House: Referred to Committee for Courts of Justice
02/01/07 House: Impact statement from City of Newport News (HB2826)
02/06/07 House: Left in Courts of Justice

HB2840 Virginia Personnel Act; personnel administration; preference for veterans for employment with the Commonwealth.

Chief Patron: **Franklin P. Hall**

Summary:

Virginia Personnel Act; personnel administration; preference for veterans for employment with the Commonwealth. Provides a veteran who applies for employment with the Commonwealth a preference during the selection process, if the veteran has received (i) an honorable discharge and served more than 180 consecutive days of full-time active duty in the armed forces of the United States or reserve components thereof, including the National Guard, or (ii) has a service-connected disability rating. The bill directs the Department of Human Resource Management to develop and distribute guidelines on this issue.

Status:

02/05/07 House: Committee substitute agreed to 070931276-H1
02/05/07 House: Engrossed by House - committee substitute HB2840H1
02/06/07 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)
02/06/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)
02/06/07 House: Communicated to Senate

HB2843 Health professions; authority to send laboratory results directly to patient.

Chief Patron: **Franklin P. Hall**

Summary:

Health professions; authority to send laboratory results directly to patient. Allows a licensed physician who orders a laboratory test or other examination of the physical or mental condition of any person to request, in writing, that a copy of the report of the results of the test or examination be provided by the person conducting the test or examination directly to the subject of the test or examination. The subject of the test or examination shall then be considered authorized to receive the report or result for the purposes of the federal Clinical Laboratory Improvement Amendments. This bill has been incorporated into HB 3161.

Status:

01/10/07 House: Prefiled and ordered printed; offered 01/10/07 072426312
01/10/07 House: Referred to Committee on Health, Welfare and Institutions
01/23/07 House: Incorporated by Health, Welfare and Institutions (HB3061-Frederick)

HB2882 Southwest Virginia Health Facilities Authority.

Chief Patron: Clarence E. Phillips

Summary:

Southwest Virginia Health Facilities Authority. Establishes a health facilities authority for Southwest Virginia. The Authority may acquire, construct, equip, establish, improve, maintain, and/or operate hospitals or health centers and may condemn property and issue bonds and other obligations for such purpose. However, the bonds and other obligations of the Authority shall not be a debt of any locality or of the Commonwealth.

Status:

01/31/07 House: Read third time and passed House BLOCK VOTE (100-Y 0-N)

01/31/07 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

01/31/07 House: Communicated to Senate

02/01/07 Senate: Constitutional reading dispensed

02/01/07 Senate: Referred to Committee on Local Government

HB2984 Virginia Retirement System; retirement benefits for state and local employees.

Chief Patron: Riley E. Ingram

Summary:

Virginia Retirement System; retirement benefits for state and local employees. Provides that (i) state police officers hired on or after July 1, 2007, shall have a retirement multiplier of 2.1 percent and shall not be eligible for the additional annual allowance now available, and that all other state police officers shall have a retirement multiplier of 1.85 percent (instead of 1.7 percent); (ii) all other employees covered under the Virginia Retirement System who currently have a retirement multiplier of 1.7 percent shall have a retirement multiplier of 1.75 percent; (iii) employees hired on or after July 1, 2007, into a position covered under the State Police Officers' Retirement System (SPORS), the Virginia Law Officers' Retirement System (VaLORS), or a local law-enforcement position with retirement coverage comparable to that of SPORS, who already were vested under either of the other two of these three retirement programs, may choose to maintain coverage under the vested program; (iv) for employees hired on or after July 1, 2007, into a position covered by the Virginia Retirement System, the age and creditable service requirement for unreduced early retirement allowance is changed from 50 years of age and 25 years of service to 55 years of age and 30 years of service; (v) for local law enforcement employees hired on or after July 1, 2007, localities may provide retirement benefits comparable to that provided under VaLORS (and not that provided under SPORS); and (v) the Compensation Board shall reimburse localities, based on the local fiscal stress index, for a portion of the additional cost to the localities of providing local law-enforcement employees retirement coverage comparable to that provided under the State Police Officers' Retirement System (SPORS), or the Virginia Law Officers' Retirement System (VaLORS).

Status:

01/10/07 House: Prefiled and ordered printed; offered 01/10/07 073417260

01/10/07 House: Referred to Committee on Appropriations

01/16/07 House: Assigned App. sub: Compensation and Retirement (Putney)

02/06/07 House: Left in Appropriations

HB3061 Health professions; authority to send laboratory test results directly to patients.

Chief Patron: **Jeffrey M. Frederick**

Summary:

Health professions; authority to send laboratory test results directly to patients. Requires any health care practitioner licensed pursuant to Title 54.1 who orders a laboratory test or other examination of the physical or mental condition of any person to, if so requested by the patient or his legal guardian, inform the laboratory or other facility conducting the test or examination to provide a copy of the report of the results directly to the patient or his legal guardian. This bill incorporates HB 2843.

Status:

02/02/07 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N)
02/02/07 House: Communicated to Senate
02/05/07 Senate: Constitutional reading dispensed
02/05/07 Senate: Referred to Committee on Education and Health
02/06/07 Senate: Assigned Education sub: Health Professions

HB3064 Institutions of higher education; policies.

Chief Patron: **Albert C. Eisenberg**

Summary:

Institutions of higher education; policies. Directs the governing boards of each public institution of higher education to develop and implement policies that advise students, faculty, and staff, including residence hall staff, of the proper procedures for identifying and addressing the needs of students that exhibit suicidal tendencies or behavior.

Status:

02/01/07 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)
02/01/07 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)
02/01/07 House: Communicated to Senate
02/02/07 Senate: Constitutional reading dispensed
02/02/07 Senate: Referred to Committee on Education and Health

HB3073 Off-road motorcycle, all-terrain vehicle, and similar vehicle.

Chief Patron: **R. Lee Ware, Jr.**

Summary:

Off-road motorcycle, all-terrain vehicle, and similar vehicle. Prohibits operation of any off-road motorcycle, all-terrain vehicle, or similar vehicle within 500 feet of any dwelling. Violation is punishable as a Class 4 misdemeanor (fine up to \$250). If a violation is committed by a juvenile, the parent or other person standing in loco parentis to that person shall be guilty of a Class 4 misdemeanor. A second or subsequent conviction within one year of a first conviction shall be punishable as a Class 3 misdemeanor (fine up to \$500). This bill does not apply to vehicles while being used for agricultural or silvicultural purposes.

Status:

01/16/07 House: Presented and ordered printed 076515540
01/16/07 House: Referred to Committee on Transportation

01/18/07 House: Referred from Transportation
01/18/07 House: Referred to Committee for Courts of Justice
02/02/07 House: Failed to report (defeated) in Courts of Justice (9-Y 10-N)

HB3145 **In-state tuition and required fees.**

Chief Patron: **David E. Poisson**

Summary:

In-state tuition and required fees. Waiver of tuition and required fees for eligible children and spouses of veterans and certain public safety personnel and certain foreign students.

Status:

01/18/07 House: Presented and ordered printed 079834466
01/18/07 House: Referred to Committee on Education
01/31/07 House: Passed by indefinitely in Education

HB3148 **Compromised Data Disclosure Act.**

Chief Patron: **David L. Bulova**

Summary:

Compromised Data Disclosure Act. Creates the Compromised Data Disclosure Act, which requires state agencies to notify residents of Virginia when their personal information maintained by a state agency has been compromised through a breach of a security system or otherwise acquired by an unauthorized person. The bill requires the Virginia Information Technology Investment Board to establish policies and procedures to implement the provisions of the bill. The bill defines personal information.

Status:

01/19/07 House: Presented and ordered printed 079213254
01/19/07 House: Referred to Committee on Science and Technology
01/29/07 House: Tabled in Science and Technology (15-Y 6-N)

HB3209 **Fees for copies of records; no charge for copy of bills.**

Chief Patron: **H. Morgan Griffith**

Summary:

Fees for copies of records; no charge for copy of bills. States that no patient, patient's attorney, patient's executor or administrator, or an authorized insurer shall be charged a fee for copies of health care provider bills.

Status:

01/22/07 House: Unanimous consent to introduce
01/22/07 House: Presented and ordered printed 076094308
01/22/07 House: Referred to Committee for Courts of Justice
01/25/07 House: Assigned Courts sub: Civil Law
02/06/07 House: Left in Courts of Justice

HJ594 **Study; State Council of Higher Education for Virginia; report.**

Chief Patron: David E. Poisson

Summary:

Study; State Council of Higher Education for Virginia; report. Requesting the State Council of Higher Education for Virginia to study the feasibility of establishing an online public institution of higher education.

Status:

12/29/06 House: Prefiled and ordered printed; offered 01/10/07 078169466

12/29/06 House: Referred to Committee on Rules

02/06/07 House: Left in Rules

HJ611 Study; business, law, and policy graduate programs in state institutions of higher education; report.

Chief Patron: Harry R. Purkey

Summary:

Study; business, law, and policy graduate programs in state institutions of higher education; report. Establishes a joint subcommittee to study science and technology education in business, law, and policy graduate programs in state institutions of higher education.

Status:

02/02/07 House: Agreed to by House BLOCK VOTE (91-Y 0-N)

02/02/07 House: VOTE: BLOCK VOTE PASSAGE (91-Y 0-N)

02/02/07 House: Communicated to Senate

02/05/07 Senate: Constitutional reading dispensed

02/05/07 Senate: Referred to Committee on Rules

HJ639 Encouraging the development of guidelines to ensure religious freedom in higher education.

Chief Patron: Benjamin L. Cline

Summary:

Encouraging the development of guidelines to ensure religious freedom in higher education. Encourages the State Council of Higher Education to establish guidelines to ensure religious freedom at institutions of higher education in the Commonwealth.

Status:

02/02/07 House: VOTE: ADOPTION (93-Y 2-N)

02/02/07 House: Printed as engrossed 075150268-E

02/02/07 House: Communicated to Senate

02/05/07 Senate: Constitutional reading dispensed

02/05/07 Senate: Referred to Committee on Rules

SB749 Community College Transfer Grant Program.

Companion Bill: HB1681

Chief Patron: Walter A. Stosch

Summary:

Community College Transfer Grant Program. Establishes the Community College Transfer Grant Program for the purpose of providing higher education grants to domiciles of Virginia who have successfully completed an acceptable associate degree program at a Virginia community college and have been admitted to an accredited nonprofit public or private institution of higher education in the Commonwealth. The State Council of Higher Education for Virginia (SCHEV) must promulgate necessary and appropriate regulations for its administration.

To be eligible to receive a grant, the student must: (i) have maintained a cumulative grade point average of at least 3.0 on a scale of 4.0 or its equivalent while enrolled in an associate degree program at a Virginia community college, (ii) have applied for financial aid, and (iii) have financial need, defined by having a family income of equal to or less than 150% of Virginia median family income, or 150% of the median family income of their home locality, whichever is greater.

The amount of the award will be based on either the difference between the cost of tuition paid by the recipient at a Virginia community college and the cost of such tuition at the public four-year institution of higher education in which the student has been enrolled, or in the case of transfer to a private four-year college or university, the difference between the cost of tuition paid by the recipient at a Virginia community college and the average cost of such tuition at a Virginia public four-year institution of higher education.

Status:

02/06/07 Senate: VOTE: (40-Y 0-N)
02/06/07 Senate: Passed Senate (40-Y 0-N)
02/06/07 Senate: VOTE: (40-Y 0-N)
02/06/07 Senate: Communicated to House
02/06/07 Senate: Printed as engrossed 072412824-E

SB776 Law-Enforcement Officers Procedural Guarantee Act.

Chief Patron: Ken T. Cuccinelli, II

Summary:

Law-Enforcement Officers Procedural Guarantee Act. Makes several changes as to the process and procedures afforded to officers under the procedural guarantee act, clarifying several existing rights and setting forth specific procedures for the questioning of officers and the conduct of a disciplinary hearing.

Status:

12/18/06 Senate: Prefiled and ordered printed; offered 01/10/07 073072720
12/18/06 Senate: Referred to Committee for Courts of Justice
01/24/07 Senate: Failed to report (defeated) in Courts of Justice (7-Y 8-N)

SB780 Involuntary temporary detention; issuance and execution of order.

Chief Patron: Ken T. Cuccinelli, II

Summary:

Involuntary temporary detention; issuance and execution of order. Modifies one element of the legal standard for involuntary commitment by changing the requirement that individuals present an

"imminent danger" to a requirement that individuals present a "significant risk." Emphasizes criteria required for involuntary commitment as found in prior records of treatment and noncompliance with treatment, and demonstrated in reports of witnesses, family members, physicians, or mental health professionals.

Status:

12/22/06 Senate: Prefiled and ordered printed; offered 01/10/07 060445720

12/22/06 Senate: Referred to Committee for Courts of Justice

01/15/07 Senate: Assigned Courts sub: Involuntary Commitment

02/06/07 Senate: Left in Courts of Justice

SB861 **Virginia Public Procurement Act; required disclosure of the location where services are to be performed under the contract**

Companion Bill: **HB1917**

Chief Patron: **W. Roscoe Reynolds**

Summary:

Virginia Public Procurement Act; required disclosure of the location where services are to be performed under the contract. Requires prospective vendors for state service contracts to disclose the location where services will be performed under the contract, including any subcontracts, and whether any services under the contract, including any subcontracts, are anticipated to be performed outside of the United States. In addition, the bill provides that the state public body may consider the disclosure of the prospective vendor and the economic impact to the Commonwealth and its citizens in awarding the contract or evaluating the bid or offer. Under the bill, if the vendor subsequently changes the location where the services are performed to a location outside of the United States, then the vendor will be in breach of the contract unless the public body makes a written determination that circumstances required the change in location or termination of the contract would not be in the best interest of the Commonwealth. The bill also provides for the Department of General Services to submit to the Governor and General Assembly by September 30 of each year a report detailing the impact of outsourcing services on the procurement cost of the Commonwealth.

Status:

01/08/07 Senate: Prefiled and ordered printed; offered 01/10/07 071528808

01/08/07 Senate: Referred to Committee on General Laws and Technology

01/24/07 Senate: Failed to report (defeated) in General Laws and Technology (6-Y 8-N)

SB891 **Reduced in-state tuition rates for children of faculty and staff.**

Chief Patron: **R. Creigh Deeds**

Summary:

Reduced in-state tuition rates for children of faculty and staff. Requires the board of visitors of each public two-year and four-year institution of higher education to provide reduced in-state tuition rates for the children of faculty and staff members employed by the institution, effective for the 2008-2009 academic year. This bill has been incorporated into SB 982.

Status:

01/08/07 Senate: Prefiled and ordered printed; offered 01/10/07 072639724

01/08/07 Senate: Referred to Committee on Education and Health

01/16/07 Senate: Assigned Education sub: Higher Education

01/25/07 Senate: Incorporated by Education and Health (SB982-Edwards) (14-Y 0-N)

SB892 **Faculty representative to the State Council of Higher Education.**

Chief Patron: **R. Creigh Deeds**

Summary:

Faculty representative to the State Council of Higher Education. Requires the Governor to appoint a nonvoting faculty representative to the State Council of Higher Education who will act in an advisory capacity. The faculty representative must be employed in a full-time teaching position at a public institution of higher education in Virginia. The faculty representative may not be considered a member of the State Council for any purpose, including establishing a quorum and making official decisions, and may be excluded from executive sessions or closed meetings.

Status:

01/08/07 Senate: Prefiled and ordered printed; offered 01/10/07 072632724

01/08/07 Senate: Referred to Committee on Education and Health

01/23/07 Senate: Assigned Education sub: Higher Education

02/01/07 Senate: Passed by indefinitely in Education and Health (11-Y 3-N 1-A)

SB893 **Faculty representatives to the State Board for Community Colleges, local community college boards, and boards of visitors**

Chief Patron: **R. Creigh Deeds**

Summary:

Faculty representatives to the State Board for Community Colleges, local community college boards, and boards of visitors. Requires the State Board for Community Colleges, local community college boards, and boards of visitors of any public four-year institution of higher education to appoint one or more nonvoting, advisory faculty representatives to their respective boards. Currently, these appointments are at the discretion of each board.

Status:

01/08/07 Senate: Prefiled and ordered printed; offered 01/10/07 072633724

01/08/07 Senate: Referred to Committee on Education and Health

01/17/07 Senate: Assigned Education sub: Higher Education

01/25/07 Senate: Passed by indefinitely in Education and Health (11-Y 3-N)

SB905 **Definition of abused or neglected child.**

Companion Bill: **HB2319**

Chief Patron: **Nick Rerras**

Summary:

Definition of abused or neglected child. Specifies that a decision by parents or other person responsible to refuse a particular medical treatment for a child with a life-threatening condition shall not be deemed a refusal to provide necessary care if (i) such decision is made jointly by the parents or other person responsible and the child; (ii) the child is sufficiently mature to have an informed opinion on the subject of his medical treatment; (iii) the parents or other person responsible and the child have considered alternative treatment options; and (iv) the parents or other person responsible and the child

believe in good faith that such decision is in the child's best interest.

Status:

02/02/07 Senate: Communicated to House
02/02/07 Senate: Printed as engrossed 075404804-ES2
02/06/07 House: Placed on Calendar
02/06/07 House: Read first time
02/06/07 House: Referred to Committee for Courts of Justice

SB982 Partial tuition waiver; children of university and college faculty.

Chief Patron: **John S. Edwards**

Summary:

Partial tuition waiver; children of university and college faculty. Establishes the Dependent Children of University and College Faculty Reduced Tuition Program, to provide 50 percent tuition waivers for the children of current full-time faculty members who have been employed full-time by any one or more public Virginia college or university for an aggregate period of at least seven years. The tuition waivers shall be used for undergraduate education at any public institution of higher education in Virginia.

Status:

01/16/07 Senate: Assigned Education sub: Higher Education
01/25/07 Senate: Committee substitute printed 072664728-S1
01/25/07 Senate: Reported from Education and Health with substitute (13-Y 1-N)
01/25/07 Senate: Rereferred to Finance
01/31/07 Senate: Left in Finance (14-Y 0-N)

SB1001 Freedom of Information Act; electronic communication meetings.

Chief Patron: **R. Edward Houck**

Summary:

Freedom of Information Act; electronic communication meetings. Reduces the notice requirement for electronic communication meetings from seven to three working days and clarifies that political subdivisions, other than units of local government, may conduct electronic communication meetings. The bill also allows an individual member of a public body to participate in a meeting through electronic communication means from a remote location that is not open to the public in the event of an emergency, temporary or permanent disability or other medical condition, or when a member of a regional public body's principal residence is more than 60 miles from the primary meeting location. For a member to participate in the above described manner, the bill requires that a quorum of the public body be physically assembled at the primary or central meeting location and that the public body make arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location. The bill defines "regional public body." The bill also contains technical amendments and is a recommendation of the Virginia Freedom of Information Advisory Council.

Status:

02/02/07 Senate: VOTE: (40-Y 0-N)
02/05/07 Senate: Read second time and engrossed
02/06/07 Senate: Read third time and passed Senate (40-Y 0-N)
02/06/07 Senate: VOTE: (40-Y 0-N)
02/06/07 Senate: Communicated to House

SB1071 Sex offender registration; child pornography; penalties.

Companion Bill: **HB 2749**

Chief Patron: **Ryan T. McDougle**

Summary:

Sex offender registration; child pornography; penalties. Requires a sex offender to include in the registration information any electronic mail address and any instant messaging screen name that he uses or will use. A sex offender must register any changes in email addresses, instant message, or other identity information within three days of such information changing. The bill defines child pornography as sexually explicit visual material which utilizes or has as a subject an identifiable minor. The bill establishes graduated penalties for production of child pornography based on the age of the child. Provisions regarding bona fide reasons for possessing child pornography are rewritten and limited. The bill provides that knowingly financing or attempting or preparing to finance child pornography is a Class 4 felony. Provisions regarding use of a communications system to facilitate certain offenses involving children are rewritten to set out the offenses.

Status:

02/02/07 Senate: VOTE: (40-Y 0-N)
02/02/07 Senate: Communicated to House
02/06/07 House: Placed on Calendar
02/06/07 House: Read first time
02/06/07 House: Referred to Committee for Courts of Justice

SB1077 Board of Housing and Community Development; carbon monoxide detectors in certain rental dwelling units; report.

Chief Patron: **Frank M. Ruff**

Summary:

Board of Housing and Community Development; carbon monoxide detectors in certain rental dwelling units; report. Requires the installation of carbon monoxide detectors in college dormitories and assisted living facilities by July 1, 2010. The bill also requires the Board of Housing and Community Development to promulgate regulations to require the installation of carbon monoxide detectors in new college dormitories and assisted living facilities. In addition, the bill requires the Board and the Fire Services Board to jointly establish a working group to develop a public education program focusing on the dangers of carbon monoxide poisoning and preventive measures that may be taken.

Status:

02/06/07 Senate: VOTE: (39-Y 0-N)
02/06/07 Senate: Communicated to House
02/07/07 House: Placed on Calendar
02/07/07 House: Read first time
02/07/07 House: Referred to Committee on General Laws

SB1088 Pregnant Women Support Act.

Chief Patron: Phillip P. Puckett

Summary:

Pregnant Women Support Act. As a routine component of prenatal care, every licensed practitioner who renders prenatal care may provide information and support services to patients receiving a positive test diagnosis for Down Syndrome or other prenatally diagnosed conditions. This bill also creates the Virginia Pregnant Women Support Fund as a special nonreverting fund to be administered by the Board of Health to support women and families who are facing an unplanned pregnancy.

Status:

02/05/07 Senate: Committee substitute agreed to 075410792-S1
02/05/07 Senate: Engrossed by Senate - committee substitute SB1088S1
02/06/07 Senate: Read third time and passed Senate (40-Y 0-N)
02/06/07 Senate: VOTE: (40-Y 0-N)
02/06/07 Senate: Communicated to House

SB1097 Records of the Department of Motor Vehicles.

Chief Patron: Martin E. Williams

Summary:

Records of the Department of Motor Vehicles. Eliminates the fee to receive driving record abstracts from the Department of Motor Vehicles for (i) local government group self-insurance pools, (ii) law-enforcement officers, (iii) attorneys and court officials for the Commonwealth, (iv) officials of counties, cities, and towns, and (v) court, police, and licensing officials of other states and of the federal government.

Status:

01/31/07 Senate: VOTE: (40-Y 0-N)
01/31/07 Senate: Communicated to House
02/06/07 House: Placed on Calendar
02/06/07 House: Read first time
02/06/07 House: Referred to Committee on Transportation

SB1187 Waiver of tuition for children and spouses of certain public safety personnel.

Companion Bill: HB2604

Chief Patron: Harry B. Blevins

Summary:

Waiver of tuition for children and spouses of certain public safety personnel. Amends the provisions of the Code allowing the spouse and children of certain deceased public safety personnel to attend a Virginia state-supported institution of higher education free of tuition and fees. If the spouse or children are entitled to benefits under the Line of Duty Act, then they are also entitled to the tuition waiver. The tuition waiver program is currently drawn more narrowly than the Line of Duty Act.

Status:

01/23/07 Senate: VOTE: (40-Y 0-N)
01/23/07 Senate: Communicated to House
02/05/07 House: Placed on Calendar

02/05/07 House: Read first time

02/05/07 House: Referred to Committee on Education

SB1198 **Commonwealth's lien for payment of medical services; reduction.**

Chief Patron: **John S. Edwards**

Summary:

Commonwealth's lien for payment of medical services; reduction. Provides that in the event that the Commonwealth's lien against any recovery from a third party obtained by an injured person whose medical costs were paid in whole or in part by the Commonwealth is compromised under 2.2-514, this lien shall be reduced by an amount proportionate to the costs, expenses, and attorney fees incurred by the injured person.

Status:

01/10/07 Senate: Prefiled and ordered printed; offered 01/10/07 070015728

01/10/07 Senate: Referred to Committee for Courts of Justice

02/06/07 Senate: Left in Courts of Justice

SB1273 **Department of General Services; Green Buildings Act.**

Chief Patron: **Mary Margaret Whipple**

Summary:

Department of General Services; Green Buildings Act. Requires all major facility projects of state agencies to be constructed to meet United States Green Building Council Leadership in Energy and Environment Design (LEED) certification standards, unless granted an exemption by the Director of the Department of General Services. Such projects will not be required to obtain official LEED certification. Application of the requirement will be phased in over the next three years based on the square footage of the project. The provisions of the bill do not apply to construction projects of public school districts.

Status:

01/10/07 Senate: Prefiled and ordered printed; offered 01/10/07 071538844

01/10/07 Senate: Referred to Committee on General Laws and Technology

01/24/07 Senate: Reported from General Laws and Technology with amendments (13-Y 1-N)

01/24/07 Senate: Rereferred to Finance

02/07/07 Senate: Left in Finance

SB1284 **Auditor of Public Accounts.**

Chief Patron: **Walter A. Stosch**

Summary:

Auditor of Public Accounts. Provides that the searchable database of state agency expenditures and revenues shall not include activity of private gifts, including endowment funds and unrestricted gifts received by state-supported institutions of higher education. The bill clarifies that all appropriated funds and other sources under the control of a state-supported institution of higher education shall be included in the database and that the exclusion of the private gifts activity shall not affect the public access to such records unless otherwise specifically exempted by law.

Status:

01/23/07 Senate: Communicated to House
02/05/07 House: Placed on Calendar
02/05/07 House: Read first time
02/05/07 House: Referred to Committee on General Laws
02/06/07 House: Assigned GL sub: #4 Prof./Occup./Admin. (Cosgrove)

SB1323 Jurisdiction of localities to zone; signs.

Companion Bill: **HB2667**

Chief Patron: **Ken T. Cuccinelli, II**

Summary:

Jurisdiction of localities to zone; signs. Provides that for the purpose of zoning, the governing body of a locality shall have jurisdiction over any advertising structure or any sign located on real property held, operated, or possessed by an educational institution described as being "at" such locality if such advertisement structure or any part of the advertising or informative contents of such sign is visible from real property that is not held, operated, or possessed by such educational institution. Nothing contained herein shall impair, limit, modify, or supersede any expressed term of any management agreement entered into on or before January 1, 2007.

Status:

02/06/07 Senate: Constitutional reading dispensed (37-Y 0-N)
02/06/07 Senate: VOTE: (37-Y 0-N)
02/06/07 Senate: Defeated by Senate (17-Y 19-N)
02/06/07 Senate: VOTE: (17-Y 19-N)
02/06/07 Senate: Printed as engrossed 071668720-ES1

SB1324 Practice of nursing by emergency medical services personnel.

Chief Patron: **Ken T. Cuccinelli, II**

Summary:

Practice of nursing by emergency medical services personnel. Authorizes licensed paramedics to engage in the practice of professional nursing, and to perform the duties associated with the practice of a registered nurse or a licensed practical nurse. Exempts licensed paramedics from the licensure requirements applicable to nurses.

Status:

01/11/07 Senate: Presented and ordered printed 079186720
01/11/07 Senate: Referred to Committee on Education and Health
01/16/07 Senate: Assigned Education sub: Health Professions
01/25/07 Senate: Passed by indefinitely in Education and Health (14-Y 0-N)

SB1341 Health professions; authority to send laboratory test results directly to patients.

Chief Patron: Linda T. Puller

Summary:

Health professions; authority to send laboratory test results directly to patients. Requires any licensed physician who orders a laboratory test or other examination of the physical or mental condition of any person to, if so requested by the patient, inform the laboratory or other facility conducting the test or examination to provide a copy of the report of the results directly to the patient.

Status:

02/05/07 Senate: Committee substitute agreed to 075407796-S1
02/05/07 Senate: Engrossed by Senate - committee substitute SB1341S1
02/06/07 Senate: Read third time and passed Senate (40-Y 0-N)
02/06/07 Senate: VOTE: (40-Y 0-N)
02/06/07 Senate: Communicated to House

SB1398 Local regulation of all-terrain vehicles and similar vehicles near dwellings.

Chief Patron: John C. Watkins

Summary:

Local regulation of all-terrain vehicles and similar vehicles near dwellings. Allows localities by ordinance to provide that any person who operates a dirt bike, all-terrain vehicle, or other similar vehicle, whether licensed or not, within 500 feet of any dwelling shall be guilty of a Class 4 misdemeanor. The parent or other person in loco parentis of a person under the age of 18 years who violates such provision shall be guilty of a Class 4 misdemeanor. Enhanced penalties shall apply for subsequent convictions.

Status:

01/19/07 Senate: Presented and ordered printed 071153840
01/19/07 Senate: Referred to Committee on Local Government
01/30/07 Senate: Passed by indefinitely in Local Government (15-Y 0-N)

SB1416 Electric utilities.

Chief Patron: Thomas K. Norment, Jr.

Summary:

Electric utilities. Advances the scheduled expiration of the capped rate period from December 31, 2010, to December 31, 2008, establishes a new mechanism for regulating the rates of investor-owned electric utilities, and ends the ability of most consumers to shop for electric generation service. The ratemaking procedure requires the State Corporation Commission (SCC) to review each utility's rates, terms, and conditions using a 12-month test period ending December 31, 2008 (for utilities other than Dominion) and the two successive 12-month test periods ending December 31, 2009 (for Dominion). Thereafter, the reviews will cover the two successive 12-month test periods. In these biennial reviews the SCC will determine fair rates of return on common equity for the utility's generation and distribution services, using any methodology it finds consistent with the public interest. However, the return shall not be set: (i) lower than the average of the returns on common equity reported to the Securities and Exchange Commission for the three most recent annual periods by a peer group of a majority of the other vertically-integrated investor-owned electric utilities in the southeastern United States with a Moody's bond rating of at least Baa or (ii) higher than 300 basis points above that average.

The SCC may increase or decrease the rate of return by a Performance Incentive of up to 50 basis points based on the generating plant performance, customer service, operations and efficiency of a utility. If the combined rate of return on common equity earned is no more than one half of one percent above or below this rate of return, the return shall not be considered either excessive or insufficient. Each utility may seek rate adjustment clauses to recover (i) costs for transmission services provided by PJM Interconnection under applicable rates, terms and conditions approved by the Federal Energy Regulatory Commission (FERC) and costs of FERC-approved demand response programs; (ii) deferred environmental and reliability costs authorized under prior capped rate rules; (iii) costs of providing incentives for the utility to design and operate fair and effective demand-management, conservation, energy efficiency, and load management programs; (iv) costs of participation in the new renewable energy portfolio standard program; and (v) costs of projects that the Commission finds to be necessary to comply with state or federal environmental laws or regulations applicable to generation facilities used to serve the utility's native load obligations, which costs may include the enhanced rate of return for new base load generation if the project would reduce the need for construction of new generation facilities by enabling the continued operation of existing generation facilities. A utility may also apply a rate adjustment clause for recovery from customers of the costs of (i) a coal-fired generation facility that utilizes Virginia coal and is located in the coalfield region of the Commonwealth, (ii) one or more other generation facilities, or (iii) one or more major unit modifications of generation facilities, to meet the utility's projected native load obligations. The utility may recover an enhanced rate of return on common equity associated with the project of between 200 and 300 basis points, as determined by the Commission, on projects and facilities other than simple-cycle combustion turbine facilities. This enhanced rate of return is applied during the first half of the life of the project. The Commission's final order on any petition filed for any of the rate adjustment clauses shall be entered within a specified period after the filing of the petition, and any rate increase required by the clause shall go into effect within 60 days or upon the end of capped rates, whichever is later. The Commission is required to consider petitions for rate adjustment clauses on a stand-alone basis, without regard to the other costs or revenues of the utility. Costs incurred prior to the filing of a petition for a rate adjustment clause, or during the petition's consideration, that relate to recovery of the deferred environmental and reliability costs or to new generation facilities and projects (other than those using simple-cycle combustion turbines) will be deferred until the later of Commission's final order or the implementation of any rate adjustment clauses. This deferral provision does not affect the rights of parties with respect to FERC proceeding regarding Dominion's proposed deferral of its costs of joining PJM. If the Commission determines in a biennial review that a utility underearned by at least 50 basis points on its generation and distribution services, excluding provisions for new generation facilities, the Commission is required to increase the utility's rates to a level necessary to provide the opportunity to fully recover the costs of providing the utility's services and to earn such fair rate of return. The most recent 12-month test period will be used in determining the amount of the rate increase. If the Commission determines in a biennial review that a utility earned more than 50 basis points above a fair combined rate of return on its generation and distribution services, excluding provisions for new generation facilities, the Commission is required to direct that 60 percent of such overearnings be credited to customers' bills. In addition, if the Commission determines that (i) the utility's earnings exceed this limit for two consecutive biennial review periods, the Commission shall also order reductions to the utility's rates, provided that rates may not be reduced to levels below what would provide the utility with the opportunity to fully recover its costs and to earn a fair combined rate of return on its generation and distribution services, excluding provisions for new generation facilities and (ii) the utility's total

aggregate regulated rates, following a biennial review, would exceed the annual increases in CPI, when compared to the utility's rates as determined in the biennial review for a base period (either the utility's first test period or the most recent test period for which credits are applied to customers' bills), the Commission shall direct, unless such action would not be in the public interest, that any or all of such overearnings be credited to customers' bills, in lieu of any rate reduction or other crediting. An electric utility that demonstrates that it has a reasonable expectation of achieving 12 percent of its base year electric energy sales from renewable energy sources during calendar year 2022 may participate in a renewable energy portfolio standard program. Under the program, a participating utility that meets specified percentage goals for sales of renewable energy is eligible for a Performance Incentive that increases the fair combined rate of return on common equity for the utility by a 50 basis points through the third succeeding biennial review if it continues to meet the RPS Goals. It is also entitled to an enhanced rate of return on the costs associated with the construction of renewable energy generation facilities used to provide the renewable energy. With regard to the ability of customers to purchase generation services from competing providers, the measure provides that after the capped rate period ends, only customers whose annual demand exceeds five megawatts will be permitted to shop. However, two or more individual nonresidential retail customers may aggregate their demand for the purpose of meeting the 5 megawatt threshold if the Commission finds that neither their incumbent electric utility nor its retail customers will be adversely affected and that the demand of the customers who are allowed to buy power from competitors will not exceed one percent of the utility's peak annual load. The ability of large customers to purchase electric power f

Status:

02/06/07 Senate: VOTE: (40-Y 0-N)

02/06/07 Senate: Passed Senate (37-Y 2-N 1-A)

02/06/07 Senate: VOTE: (37-Y 2-N 1-A)

02/06/07 Senate: Communicated to House

02/06/07 Senate: Printed as engrossed 070281780-ES1