

Legislative Report
University of Virginia -- Office of State Governmental Relations
January 21, 2008

| | | |
|-------|--|----|
| HB14 | Institutions of higher education; aliens unlawfully present not eligible for admission thereto. (Chief Patron: Peace) | 5 |
| HB37 | Higher educational institutions; selective service registration required. (Chief Patron: Albo) | 5 |
| HB51 | Immigration laws; immunity for enforcement thereof. (Chief Patron: Lingamfelter) | 5 |
| HB55 | English; designating as official language of State. (Chief Patron: Lingamfelter) | 5 |
| HB71 | Building permit; localities may adopt provisions for assessment of impact fees prior to issuance. (Chief Patron: Marshall, R.G.) | 6 |
| HB72 | Building permit; localities may use impact fees for capital improvements. (Chief Patron: Marshall, R.G.) | 6 |
| HB81 | Abortion; illegal upon overturning of Roe v. Wade. (Chief Patron: Marshall, R.G.) | 6 |
| HB109 | Firearms; regulation thereof by state entities. (Chief Patron: Cole) | 7 |
| HB118 | Higher education; required to report to SCHEV on steps taken to ensure academic freedom, etc. (Chief Patron: Landes) | 7 |
| HB121 | Mental health treatment for minors; parental notification required. (Chief Patron: Lingamfelter) | 7 |
| HB123 | Higher educational institutions; enrollment of aliens. (Chief Patron: Hargrove) | 8 |
| HB128 | Retirement System; creating new defined contribution retirement plan. (Chief Patron: Purkey) | 8 |
| HB143 | Medical bills and charges; patient, patient's attorney, etc. may obtain list at no cost. (Chief Patron: Kilgore) | 8 |
| HB157 | Immigration laws; immunity to agencies & employees of State, etc. for authorized enforcement. (Chief Patron: Nichols) | 9 |
| HB165 | Higher educational institutions; automatic admission to certain students. (Chief Patron: Poisson) | 9 |
| HB166 | Venture capital investments; creates program which makes investment return guarantees for certain. (Chief Patron: Purkey) | 9 |
| HB247 | Hospital emergency departments; ability to access electronic health records. (Chief Patron: O'Bannon) | 9 |
| HB280 | Decedent's will; unsupervised probate. (Chief Patron: Watts) | 10 |
| HB313 | Freedom of Information Act; working papers and correspondence. (Chief Patron: Landes) | 10 |
| HB318 | Hospitalization insurance; balance billing by nonparticipating physicians. (Chief Patron: Cox) | 10 |
| HB324 | Accounts, Department of; establishment of division for collection of receivables. (Chief Patron: Saxman) | 11 |
| HB381 | Certificate of public need; exempting certain facilities from the requirement of obtaining. (Chief Patron: O'Bannon) | 11 |

| | | |
|--------|---|----|
| HB384 | Computer trespass; alters elements of crime. (Chief Patron: Ware, R.L.) | 11 |
| HB390 | Compromised Data Notification Act; created. (Chief Patron: Bulova) | 11 |
| HB398 | Certificate of public need; relocation of nursing home beds. (Chief Patron: Hamilton) | 12 |
| HB399 | Dialysis patient care technician; adds administration of erythropoietic agents to list. (Chief Patron: Hamilton) | 12 |
| HB407 | Freedom of Information Act; exemptions for certain records of public institutions of higher ed. (Chief Patron: Oder) | 13 |
| HB416 | Innovative Technology Authority and Center; repealed, adding certain Funds, report. (Chief Patron: Marshall, R.G.) | 13 |
| HB422 | Abortion; post-viability. (Chief Patron: Marshall, R.G.) | 13 |
| HB424 | Higher educational institutions; possession of concealed handguns by faculty members. (Chief Patron: Marshall, R.G.) | 13 |
| HB425 | Higher educational institutions; birth certificate required for admission, report. (Chief Patron: Marshall, R.G.) | 14 |
| HB429 | Abortion; forced or coerced prohibited, penalty. (Chief Patron: Marshall, R.G.) | 14 |
| HB479 | Stroke Triage Plan; Board of Health to develop and maintain as component of EMS Plan. (Chief Patron: Hamilton) | 14 |
| HB482 | Higher educational institutions; optional retirement plan for certain employees. (Chief Patron: Shuler) | 15 |
| HB502 | Certificate of public need; fostering competition. (Chief Patron: Hamilton) | 15 |
| HB594 | Educational Facilities Bond Act of 2008; created. (Chief Patron: Hamilton) | 15 |
| HB616 | Malpractice actions; limitation. (Chief Patron: Amundson) | 16 |
| HB634 | Government Data Collection and Dissemination Practices Act; disclosure of personal information. (Chief Patron: May) | 16 |
| HB667 | Health insurance; coverage for alternatives to surgery. (Chief Patron: Marshall, R.G.) | 17 |
| HB671 | Parental notification; student's receipt of mental health treatment. (Chief Patron: Marshall, R.G.) | 17 |
| HB751 | Involuntary commitment hearing; accessibility of results by colleges and universities. (Chief Patron: Peace) | 17 |
| HB752 | Higher educational institutions; mental health record release authorization when enrolling. (Chief Patron: Peace) | 17 |
| HB852 | Governmental employees; repeals provisions that prohibit bargaining with labor union. (Chief Patron: Ebbin) | 18 |
| HB900 | Value engineering; submission thereof to report to Division of Engineering & Buildings. (Chief Patron: Scott, J.M.) | 18 |
| HB928 | Illegal immigration; adopts several measures aimed at curbing in State, report. (Chief Patron: Gilbert) | 18 |
| HB989 | University of Virginia; appointment of board of visitors. (Chief Patron: Bell) | 19 |
| HB1004 | Advance directives; mental health directives follows same procedures as for medical. (Chief Patron: Bell) | 19 |
| HB1005 | Higher educational institutions; notification to parent of mental health treatment for student. (Chief Patron: Bell) | 19 |

| | | |
|--------|--|----|
| HB1011 | Higher educational institutions; admission of in-state students. (Chief Patron: Hugo) | 20 |
| HB1021 | Telecommuting; establishes goal for state agencies. (Chief Patron: Hugo) | 20 |
| HB1058 | Higher educational institutions; release of educational records. (Chief Patron: Amundson) | 20 |
| HB1195 | Green Buildings Act; established. (Chief Patron: Moran) | 20 |
| HB1251 | Institutions of higher education; notification of mental health treatment. (Chief Patron: Fralin) | 21 |
| HB1298 | Illegal immigrants; grounds for disciplinary action for employment thereof. (Chief Patron: Frederick) | 21 |
| HB1371 | Concealed handgun permittees; carrying firearms on public property. (Chief Patron: Gilbert) | 22 |
| HB1469 | Identity theft; database breach notification. (Chief Patron: Byron) | 22 |
| HB1504 | Compromised Data Notification Act; created. (Chief Patron: Nixon) | 22 |
| HB1547 | 21st Century Capital Improvement Program; created, report. (Chief Patron: Putney) | 23 |
| HB1554 | Public Procurement Act; awarding of contracts to small, women-, or minority-owned businesses. (Chief Patron: McClellan) | 23 |
| HB1558 | Public Procurement Act; verification of legal presence of contractors for employment in U.S. (Chief Patron: Cline) | 23 |
| HJ23 | Commending the University of Virginia Hospital Auxiliary on the occasion of its 100th anniversary. (Chief Patron: Toscano) | 24 |
| HJ43 | Higher educational institutions, online; Council of Higher Education to study establishment thereof. (Chief Patron: Poisson) | 24 |
| HJ68 | LEED; DGS to adopt standards for new state office buildings. (Chief Patron: Plum) | 24 |
| HJ91 | Higher Educational Institutions, public & private; joint subcommittee to study partnership thereof. (Chief Patron: Hamilton) | 25 |
| HJ99 | Colleges and universities; joint subcommittee to study merits of operating in State year-round. (Chief Patron: Poisson) | 25 |
| HJ119 | Small business; Joint Legislative Audit and Review Commission to study impact of eVirginia thereon. (Chief Patron: Nutter) | 26 |
| HJ162 | Bonds or other investment activity of state government; JLARC to study issuance and administration. (Chief Patron: Saxman) | 26 |
| HJ234 | Commending Jeanette Lancaster. (Chief Patron: Toscano) | 26 |
| SB17 | Medical services; State's lien for payment. (Chief Patron: Edwards) | 27 |
| SB47 | Advance directives; mental health directives follows same procedures as for medical. (Chief Patron: Whipple) | 27 |
| SB60 | Involuntary commitment; criteria. (Chief Patron: Howell) | 27 |
| SB76 | Law-Enforcement Officers Procedural Guarantee Act; changes to process and procedures. (Chief Patron: Cuccinelli) | 28 |
| SB90 | Employment; verification of eligibility. (Chief Patron: Colgan) | 28 |
| SB126 | Dependent Children of University and College Faculty Reduced Tuition Program; created. (Chief Patron: Edwards) | 28 |

| | | |
|-------|---|----|
| SB127 | Higher educational institutions; retirement plan for teachers and administrative faculty. (Chief Patron: Edwards) | 29 |
| SB128 | Higher educational institutions; optional retirement plan for certain employees. (Chief Patron: Edwards) | 29 |
| SB129 | Emergency custody orders, temporary detention orders, and involuntary commitment; criteria. (Chief Patron: Cuccinelli) | 29 |
| SB130 | Freedom of Information Act; exemptions for certain records of public institutions of higher ed. (Chief Patron: Houck) | 30 |
| SB132 | Government Data Collection and Dissemination Practices Act; disclosure of personal information. (Chief Patron: Houck) | 30 |
| SB338 | Public funds; payment for membership to professional associations in certain instances prohibited. (Chief Patron: Cuccinelli) | 30 |
| SB344 | Stroke Triage Plan; Board of Health to develop and maintain as component of EMS Plan. (Chief Patron: Blevins) | 31 |
| SB346 | Accountability, State Office of; established. (Chief Patron: Blevins) | 31 |
| SB355 | Law-Enforcement Officers Procedural Guarantee Act; changes process and procedures. (Chief Patron: Deeds) | 31 |
| SB426 | Public Procurement Act; verification of legal presence for eligibility of employment. (Chief Patron: Barker) | 32 |
| SB447 | Capital outlay projects; LEED standards applicable to state-owned buildings. (Chief Patron: Petersen) | 32 |
| SB516 | State & public employment; required eligibility verification documentation. (Chief Patron: Cuccinelli) | 33 |
| SB538 | Higher educational institutions; first warning and emergency notification system required. (Chief Patron: Obenshain) | 33 |
| SB539 | Higher educational institutions; board of visitors to establish threat assessment team. (Chief Patron: Obenshain) | 33 |
| SB555 | Auditor of Public Accounts; auditing services. (Chief Patron: Obenshain) | 34 |
| SB569 | University of Virginia; appointments of Board of Visitors. (Chief Patron: Saslaw) | 34 |
| SB581 | Educational Facilities Bond Act of 2008; created. (Chief Patron: Colgan) | 34 |
| SB636 | Higher educational institutions; requesting complete student record from high school. (Chief Patron: Cuccinelli) | 34 |
| SB705 | William and Mary, College of; management agreement with State. (Chief Patron: Norment) | 35 |
| SJ117 | Governor; confirming appointments. (Chief Patron: Howell) | 35 |

HB14 **Institutions of higher education; aliens unlawfully present not eligible for admission thereto.**

Chief Patron: Peace

Summary:

Provides that an alien who is unlawfully present in the United States shall not be eligible for admission to any public institution of higher education in the Commonwealth.

Status:

11/27/07 House: Prefiled and ordered printed; offered 01/09/08 084436676

11/27/07 House: Referred to Committee on Rules

HB37 **Higher educational institutions; selective service registration required.**

Chief Patron: Albo

Summary:

Provides that anyone failing to register for the Selective Service shall not be eligible for admittance to any state public institution of higher education.

Status:

12/05/07 House: Prefiled and ordered printed; offered 01/09/08 087828404

12/05/07 House: Referred to Committee on Rules

01/18/08 House: Impact statement from DPB (HB37)

HB51 **Immigration laws; immunity for enforcement thereof.**

Chief Patron: Lingamfelter

Summary:

Provides immunity to agencies and employees of the Commonwealth and political subdivisions for the authorized enforcement of immigration laws.

Status:

12/05/07 House: Prefiled and ordered printed; offered 01/09/08 085923600

12/05/07 House: Referred to Committee on Rules

HB55 **English; designating as official language of State.**

Chief Patron: Lingamfelter

Summary:

States that, except as provided by federal law, English is the official language of the Commonwealth, and no state agency or local government shall provide or otherwise assist in providing any documents, information, literature, or other written materials in any language other than English. The bill provides exceptions to this general rule for any documents, information, literature, or other written materials in a language other than English used in connection with foreign language instruction, administration of justice in the courts of the Commonwealth, law-enforcement purposes, or the provision of health care services.

Status:

12/05/07 House: Prefiled and ordered printed; offered 01/09/08 081753600

12/05/07 House: Referred to Committee on Rules

HB71 Building permit; localities may adopt provisions for assessment of impact fees prior to issuance.

Chief Patron: Marshall, R.G.

Summary:

Allows localities to adopt provisions for the assessment of impact fees prior to issuance of a building permit. The impact fees may be assessed in relation to the adequacy of education, transportation, parks, or public safety needs. Such fees shall be a pro rata share of the costs of reasonable and necessary capital improvements attributable to the proposed development. Prior to any impact fee assessment, the locality must identify the particular public facility needs in its comprehensive plan and must have in place a capital improvement program that provides a reasonable basis for determining the extent or level of inadequacy of such facilities in the area of the proposed development. If the locality does not apply impact fees paid by a developer to the capital project that served as the basis for such assessment within six years of collection, then the developer may seek a writ of mandamus to compel the locality to do so.

Status:

12/07/07 House: Prefiled and ordered printed; offered 01/09/08 083004616

12/07/07 House: Referred to Committee on Counties, Cities and Towns

01/14/08 House: Impact statement from DPB (HB71)

HB72 Building permit; localities may use impact fees for capital improvements.

Chief Patron: Marshall, R.G.

Summary:

Allows localities to adopt provisions for the assessment of impact fees prior to issuance of a building permit. The impact fees may be assessed in relation to the adequacy of education, transportation, parks, or public safety needs. Such fees shall be a pro-rata share of the costs of reasonable and necessary capital improvements attributable to the proposed development. Prior to any impact fee assessment, the locality must identify the particular public facility needs in its comprehensive plan and must have in place a capital improvement program that provides a reasonable basis for determining the extent or level of inadequacy of such facilities in the area of the proposed development. If the locality does not apply impact fees paid by a developer to the capital project that served as the basis for such assessment within six years of collection, then the developer may seek a writ of mandamus to compel the locality to do so.

Status:

12/07/07 House: Prefiled and ordered printed; offered 01/09/08 083005616

12/07/07 House: Referred to Committee on Counties, Cities and Towns

01/14/08 House: Impact statement from DPB (HB72)

HB81 Abortion; illegal upon overturning of Roe v. Wade.

Chief Patron: Marshall, R.G.

Summary:

Provides that if and when the United States Supreme Court decision in *Roe v. Wade*, 410 U.S. 113 (1973) is overturned, allowing the states to by their laws once again regulate abortion, the law in the Commonwealth of Virginia rendering abortion a crime, as it was in effect on June 30, 1970, and prior to the decision in *Roe v. Wade*, shall be reinstated. The Attorney General shall publish legal notice statewide that, in his opinion, the decision is overturned and that Virginia's law is as it was prior to the decision in *Roe v. Wade*. The Attorney General shall publish statewide notice of the change in law, along with the reinstated law governing the criminal offense of abortion.

Status:

12/11/07 House: Prefiled and ordered printed; offered 01/09/08 080307616

12/11/07 House: Referred to Committee on Rules

01/02/08 House: Impact statement from VCSC (HB81)

HB109 Firearms; regulation thereof by state entities.

Chief Patron: Cole

Summary:

Prohibits a state agency, council, commission, or other entity 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 or mental health 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:

12/17/07 House: Prefiled and ordered printed; offered 01/09/08 087907468

12/17/07 House: Referred to Committee on Militia, Police and Public Safety

HB118 Higher education; required to report to SCHEV on steps taken to ensure academic freedom, etc.

Chief Patron: Landes

Summary:

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 academic freedom and the free exchange of ideas. SCHEV must compile the information and report to the General Assembly by December 31 of the last year of each biennium.

Status:

12/17/07 House: Prefiled and ordered printed; offered 01/09/08 083320592

12/17/07 House: Referred to Committee on Education

01/21/08 House: Reported from Education with amendment (22-Y 0-N)

HB121 Mental health treatment for minors; parental notification required.

Chief Patron: Lingamfelter

Summary:

Requires any state or local government employee providing mental health treatment to a minor to notify the minor's parent, legal guardian, or person standing in loco parentis of the provision of services within five days of the provision of services.

Status:

12/17/07 House: Prefiled and ordered printed; offered 01/09/08 083133600

12/17/07 House: Referred to Committee on Health, Welfare and Institutions

HB123 Higher educational institutions; enrollment of aliens.

Chief Patron: Hargrove

Summary:

Provides that any alien must present legal documentation of residence or educational status to be eligible for initial enrollment in any public institution of higher education in Virginia.

Status:

12/18/07 House: Prefiled and ordered printed; offered 01/09/08 088409532

12/18/07 House: Referred to Committee on Rules

HB128 Retirement System; creating new defined contribution retirement plan.

Chief Patron: Purkey

Summary:

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:

12/20/07 House: Prefiled and ordered printed; offered 01/09/08 088349692

12/20/07 House: Referred to Committee on Appropriations

01/15/08 House: Assigned App. sub: Compensation and Retirement (Jones, S.C.)

HB143 Medical bills and charges; patient, patient's attorney, etc. may obtain list at no cost.

Chief Patron: Kilgore

Summary:

Provides that a patient, patient's attorney, or insurance provider may obtain a list of charges or an account balance pertaining to that patient at no cost.

Status:

12/21/07 House: Prefiled and ordered printed; offered 01/09/08 084664588

12/21/07 House: Referred to Committee for Courts of Justice

HB157 **Immigration laws; immunity to agencies & employees of State, etc. for authorized enforcement.**

Chief Patron: Nichols

Summary:

Provides immunity to agencies and employees of the Commonwealth and political subdivisions for the authorized enforcement of immigration laws.

Status:

12/21/07 House: Prefiled and ordered printed; offered 01/09/08 088268654

12/21/07 House: Referred to Committee on Rules

HB165 **Higher educational institutions; automatic admission to certain students.**

Chief Patron: Poisson

Summary:

Directs the governing boards of public institutions of higher education to provide for the automatic acceptance of those resident students applying for admission who: (i) have graduated from a public or private high school in Virginia with a grade point average in the top 10 percent of such student's graduating class; and (ii) have completed 320 hours of community service in a program approved by the Secretary of Education, in the year preceding the academic year for which the student is seeking admission.

Status:

12/26/07 House: Prefiled and ordered printed; offered 01/09/08 088146688

12/26/07 House: Referred to Committee on Education

HB166 **Venture capital investments; creates program which makes investment return guarantees for certain.**

Chief Patron: Purkey

Summary:

Creates a program under which the Commonwealth makes investment return guarantees for certain investments made between January 1, 2008, and January 1, 2013, in venture capital funds that invest in technology firms located in the Commonwealth. The Virginia Economic Development Partnership Authority shall administer the program.

Status:

12/26/07 House: Prefiled and ordered printed; offered 01/09/08 088192692

12/26/07 House: Referred to Committee on Appropriations

01/14/08 House: Impact statement from DPB (HB166)

HB247 **Hospital emergency departments; ability to access electronic health records.**

Chief Patron: O'Bannon

Summary:

Requires all hospitals that (i) engage in diversion at any time and (ii) use electronic health records to have the information technology capability to access electronic health records of other hospitals engaging in diversion in their emergency departments.

Status:

12/28/07 House: Prefiled and ordered printed; offered 01/09/08 083105664

12/28/07 House: Referred to Committee on Health, Welfare and Institutions

HB280 Decedent's will; unsupervised probate.

Chief Patron: Watts

Summary:

Allows a will to be probated without supervision or intervention of the court if the will requests such probate or all beneficiaries of the will agree to such probate.

Status:

01/02/08 House: Prefiled and ordered printed; offered 01/09/08 084513784

01/02/08 House: Referred to Committee for Courts of Justice

01/10/08 House: Assigned Courts sub: Civil

HB313 Freedom of Information Act; working papers and correspondence.

Chief Patron: Landes

Summary:

Removes the current exemption in FOIA for working papers and correspondence for the president or other chief executive officer of any public institution of higher education in Virginia.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 081759592

01/04/08 House: Referred to Committee on General Laws

HB318 Hospitalization insurance; balance billing by nonparticipating physicians.

Chief Patron: Cox

Summary:

Prohibits a physician who does not participate in a health insurance carrier's provider panel from balance billing an enrollee for the difference between his charges and the amount paid by the carrier for covered services performed at a participating hospital, unless the hospitalized enrollee has consented in writing, prior to receiving the services, to the use of the nonparticipating physician.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 086135476

01/04/08 House: Referred to Committee on Commerce and Labor

01/14/08 House: Assigned C & L sub: 1

HB324 Accounts, Department of; establishment of division for collection of receivables.

Chief Patron: Saxman

Summary:

Establishes the Division for the Collection of Receivables within the Department of Accounts to oversee the Commonwealth's accounts receivables program pursuant to the Virginia Debt Collection Act (§ 2.2-4800 et seq.). The Division will enforce policies and procedures adopted by the Department for reporting, accounting for, and collecting the Commonwealth's accounts receivable and serve as a central clearinghouse providing collection services to state agencies for all accounts receivable.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 088097712

01/04/08 House: Referred to Committee on General Laws

01/16/08 House: Assigned GL sub: FOIA

HB381 Certificate of public need; exempting certain facilities from the requirement of obtaining.

Chief Patron: O'Bannon

Summary:

Exempts certain existing facilities engaged in the early identification, diagnosis, and treatment of heart disease using noninvasive screening and outpatient coronary arteriography located in the City of Richmond from the requirement of obtaining a certificate of public need for the addition of a computer tomography (CT) scanner for cardiac imaging and diagnosis.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 083101664

01/04/08 House: Referred to Committee on Health, Welfare and Institutions

01/11/08 House: Impact statement from DPB (HB381)

HB384 Computer trespass; alters elements of crime.

Chief Patron: Ware, R.L.

Summary:

Alters the elements of the crime of computer trespass, no longer requiring that a person act with malicious intent in order to be guilty but requiring that the crime be committed without the consent and authorization of the computer's owner.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 088035780

01/04/08 House: Referred to Committee for Courts of Justice

01/07/08 House: Impact statement from VCSC (HB384)

01/10/08 House: Assigned Courts sub: Criminal

HB390 Compromised Data Notification Act; created.

Chief Patron: Bulova

Summary:

Creates the Compromised Data Notification Act, which, following discovery or notification of a breach of a security system, requires a state agency that owns or licenses computerized data that includes personal information to provide notice of the breach to all residents of Virginia whose unencrypted personal information was or is reasonably believed to have been acquired by an unauthorized person. The notice shall be given in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the system.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 088104444

01/04/08 House: Referred to Committee on General Laws

01/11/08 House: Impact statement from DPB (HB390)

HB398 Certificate of public need; relocation of nursing home beds.

Chief Patron: Hamilton

Summary:

Adds to the definition of "project" any relocation of 10 beds or 10% of beds, whichever is less, from one existing facility to another existing facility owned by the same person that is located within the Commonwealth but is not located at the same site, in any three-year period.

Status:

01/16/08 House: Read third time and passed House (97-Y 0-N 1-A)

01/16/08 House: VOTE: --- PASSAGE (97-Y 0-N 1-A)

01/16/08 House: Communicated to Senate

01/17/08 Senate: Constitutional reading dispensed

01/17/08 Senate: Referred to Committee on Education and Health

HB399 Dialysis patient care technician; adds administration of erythropoietic agents to list.

Chief Patron: Hamilton

Summary:

Adds the administration of erythropoietic agents such as Epoetin alfa, Vitamin D, iron, to the list of direct care activities a dialysis patient care technician may undertake.

Status:

01/04/08 House: Referred to Committee on Health, Welfare and Institutions

01/10/08 House: Reported from Health, Welfare and Institutions (22-Y 0-N)

01/11/08 House: Read first time

01/11/08 House: Impact statement from DPB (HB399)

01/14/08 House: Stricken from House calendar

HB407 Freedom of Information Act; exemptions for certain records of public institutions of higher ed.

Companion Bill: SB130

Chief Patron: Oder

Summary:

Exempts records maintained by a public institution of higher education in connection with fundraising activities conducted by or for such institution to the extent that such records reveal (i) personal fundraising strategies relating to identifiable donors or prospective donors or (ii) wealth assessments; estate, financial, or tax planning information; health-related information; employment, familial, or marital status information; electronic mail addresses, facsimile or telephone numbers; birth dates or social security numbers of identifiable donors or prospective donors.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 084508668

01/04/08 House: Referred to Committee on General Laws

01/17/08 House: Assigned GL sub: FOIA

HB416 Innovative Technology Authority and Center; repealed, adding certain Funds, report.

Chief Patron: Marshall, R.G.

Summary:

Repeals the Innovative Technology Authority and the Center for Innovative Technology. The bill moves the Advanced Communications Assistance Fund, the Commonwealth Technology Research Fund, and the Biotechnology Commercialization Loan Fund under the supervision of the Virginia Economic Development Partnership.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 081036616

01/04/08 House: Referred to Committee on Science and Technology

01/21/08 House: Impact statement from DPB (HB416)

HB422 Abortion; post-viability.

Chief Patron: Marshall, R.G.

Summary:

Provides that no abortion shall be performed following a determination by two physicians that the fetus to be aborted is viable. A violation is a Class 4 felony.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 080557616

01/04/08 House: Referred to Committee for Courts of Justice

01/07/08 House: Impact statement from VCSC (HB422)

HB424 Higher educational institutions; possession of concealed handguns by faculty members.

Chief Patron: Marshall, R.G.

Summary:

Allows full-time faculty members of state institutions of higher education who possess a valid Virginia concealed handgun permit to carry a concealed handgun on campus.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 085912616

01/04/08 House: Referred to Committee on Militia, Police and Public Safety

HB425 Higher educational institutions; birth certificate required for admission, report.

Chief Patron: Marshall, R.G.

Summary:

Provides that each public institution in Virginia must require first-time entering freshmen, upon admission, to submit a certified copy of their birth certificate, or an affidavit in the absence of the birth certificate, noting the place and country of birth. Students who fail to submit a certified birth certificate or an affidavit are ineligible for reduced in-state tuition and other state financial aid. Each institution must report this information, without disclosing personally identifiable information, on its website and to the State Council of Higher Education, and make written copies of the information available upon request. The Council must report the aggregate number of such students by place and country of birth on its website.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 084164616

01/04/08 House: Referred to Committee on Rules

HB429 Abortion; forced or coerced prohibited, penalty.

Chief Patron: Marshall, R.G.

Summary:

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:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 080558616

01/04/08 House: Referred to Committee for Courts of Justice

01/07/08 House: Impact statement from VCSC (HB429)

01/16/08 House: Assigned Courts sub: Criminal

HB479 Stroke Triage Plan; Board of Health to develop and maintain as component of EMS Plan.

Companion Bill: SB344

Chief Patron: Hamilton

Summary:

Requires the Board of Health to develop and maintain as a component of the Emergency Medical Services Plan a statewide pre-hospital and interhospital Stroke Triage Plan designed to promote rapid access for stroke patients to appropriate, organized stroke care. The Plan shall include formal regional stroke triage plans, which shall be reviewed triennially.

Status:

01/17/08 House: Engrossed by House as amended HB479E
01/17/08 House: Printed as engrossed 084042840-E
01/18/08 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)
01/18/08 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)
01/18/08 House: Communicated to Senate

HB482 Higher educational institutions; optional retirement plan for certain employees.

Companion Bill: SB128

Chief Patron: Shuler

Summary:

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:

01/07/08 House: Prefiled and ordered printed; offered 01/09/08 084574732
01/07/08 House: Referred to Committee on Appropriations
01/15/08 House: Assigned App. sub: Compensation and Retirement (Jones, S.C.)

HB502 Certificate of public need; fostering competition.

Chief Patron: Hamilton

Summary:

Creates a preference for proposed services or facilities to be established in health planning regions in which a single health care provider system controls an aggregate of 40 percent of the existing acute care beds and earns more than \$1 billion in aggregate annual net patient revenues when determining whether a public need for a project has been demonstrated.

Status:

01/07/08 House: Prefiled and ordered printed; offered 01/09/08 088139528
01/07/08 House: Referred to Committee on Health, Welfare and Institutions
01/15/08 House: Impact statement from DPB (HB502)

HB594 Educational Facilities Bond Act of 2008; created.

Companion Bill: SB581

Chief Patron: Hamilton

Summary:

Authorizes the issuance of 9(b) bonds in a principal amount not to exceed \$1,525,492,000 for certain educational facilities, subject to approval by the voters voting at the November 4, 2008, general election.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 082863818

01/08/08 House: Referred to Committee on Appropriations

01/17/08 House: Impact statement from DPB (HB594)

HB616 Malpractice actions; limitation.

Chief Patron: Amundson

Summary:

Extends the two-year limitations period for personal injury actions in malpractice cases arising out of the negligent failure to diagnose disease or illness or to communicate such diagnosis to the patient for a period of one year from the date the disease or illness is communicated to the patient. The bill also provides that the determination of whether a personal injury action may be brought after the person's death where no action was pending at the time of death is governed by the personal injury limitations period.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 087075250

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

01/16/08 House: Assigned Courts sub: Civil

HB634 Government Data Collection and Dissemination Practices Act; disclosure of personal information.

Companion Bill: SB132

Chief Patron: May

Summary:

Provides that no agency shall require an individual to furnish or disclose his social security number (SSN) or driver's license number unless the furnishing or disclosure of such number is (i) expressly authorized by state or federal law and (ii) essential for the performance of that agency's duties. The bill also strengthens the remedies provisions of the GDCDPA by adding civil penalties matching those in FOIA, and grants general district courts the authority to hear GDCDPA cases. Additionally, the bill has enactment clauses giving it a delayed effective date of July 1, 2009, and requires state agencies to study their own collection and use of SSNs and report to the FOIA Council and JCOTS on such collection and use by October 1, 2008. The bill also contains a fourth enactment clause providing for the gathering of similar information about the use and collection of SSNs by cities, counties and towns with a population greater than 15,000. The bill is a recommendation of the Freedom of Information Advisory Council and JCOTS.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 085938868

01/08/08 House: Referred to Committee on General Laws

01/18/08 House: Impact statement from DPB (HB634)

HB667 Health insurance; coverage for alternatives to surgery.

Chief Patron: Marshall, R.G.

Summary:

Requires health insurers, corporations providing accident and sickness subscription contracts, and health maintenance organizations whose policies, contracts or plans cover surgical treatment of a medical condition or disease to also cover a nonsurgical treatment for the condition or disease if it is (i) less expensive, (ii) less dangerous, (iii) not experimental or investigational, (iv) generally recognized by the regional medical community as an appropriate treatment for the condition or disease, and (v) not less efficacious than the surgical treatment.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 080021616

01/08/08 House: Referred to Committee on Commerce and Labor

01/15/08 House: Impact statement from DPB (HB667)

HB671 Parental notification; student's receipt of mental health treatment.

Chief Patron: Marshall, R.G.

Summary:

Requires parental notification from administrative or instructional personnel and school counselors and psychologists who as a result of direct communication with a student have reason to believe that such student is suicidal or is at risk of harming others. In addition, requires parental notification of a student's receipt of mental health treatment for suicidal tendencies or other behavior indicating that such student may be an imminent danger to others.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 083337616

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

HB751 Involuntary commitment hearing; accessibility of results by colleges and universities.

Chief Patron: Peace

Summary:

Allows colleges and universities to access the outcome of an involuntary commitment hearing by making a motion to the court.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 081440432

01/08/08 House: Referred to Committee on Health, Welfare and Institutions

HB752 Higher educational institutions; mental health record release authorization when enrolling.

Chief Patron: Peace

Summary:

Requires institutions of higher education to obtain a mental health record release authorization from students prior to enrollment.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 088427432

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

HB852 Governmental employees; repeals provisions that prohibit bargaining with labor union.

Chief Patron: Ebbin

Summary:

Repeals provisions that prohibit state and local officers, agents, and governing bodies from collectively bargaining with a labor union or other employee association as a bargaining agent of public officers or employees.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 088383492

01/08/08 House: Referred to Committee on Rules

01/17/08 House: Impact statement from DPB (HB852)

HB900 Value engineering; submission thereof to report to Division of Engineering & Buildings.

Chief Patron: Scott, J.M.

Summary:

Requires the submission of a value engineering report to the Division of Engineering and Buildings. Under the bill each item included in the value engineering report must be designated as accepted, declined, or accepted as modified. The report must be approved by the Division before the project may move to the next phase of design.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 082364720

01/08/08 House: Referred to Committee on General Laws

01/17/08 House: Impact statement from DPB (HB900)

01/17/08 House: Assigned GL sub: FOIA

HB928 Illegal immigration; adopts several measures aimed at curbing in State, report.

Chief Patron: Gilbert

Summary:

Adopts several measures aimed at curbing illegal immigration in the Commonwealth. The bill requires all public bodies and their contractors to register and participate in a federal work authorization program operated by the

United States Department of Homeland Security to verify information on all new employees, and requires all agencies providing benefits to verify the recipient's immigration status. State institutions of higher education would be prohibited from providing in-state tuition to illegal aliens.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 085965516

01/08/08 House: Referred to Committee on Rules

01/09/08 House: Impact statement from VCSC (HB928)

HB989 University of Virginia; appointment of board of visitors.

Companion Bill: SB569

Chief Patron: Bell

Summary:

Provides that all appointments made on or after July 1, 2008, to the board of visitors must be for terms of four years that commence on July 1 of the first year of appointment. Such terms expire on June 30 of the year of scheduled expiration, including appointments made before July 1, 2008.

Status:

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

01/16/08 House: Reported from Education (20-Y 0-N)

01/17/08 House: Read first time

01/18/08 House: Read second time and engrossed

01/21/08 House: Read third time and passed House (94-Y 0-N)

HB1004 Advance directives; mental health directives follows same procedures as for medical.

Chief Patron: Bell

Summary:

Allows for mental health advance directives, by following the same procedures as for medical advance directives. A mental health advance directive may set forth procedures or instructions with regard to mental health treatment, including consent to or refusal of mental health treatment.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 081452432

01/08/08 House: Referred to Committee on Health, Welfare and Institutions

HB1005 Higher educational institutions; notification to parent of mental health treatment for student.

Chief Patron: Bell

Summary:

Requires the board of visitors or other governing board of any public institution of higher education to establish policies and procedures requiring the notification of a parent of a dependent student when such student receives mental health treatment at the institution's student health or counseling center and it has been determined that the student may cause serious bodily harm to himself or others.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 081449432

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

HB1011 Higher educational institutions; admission of in-state students.

Chief Patron: Hugo

Summary:

Provides that the board of visitors or other governing body of each public institution of higher education, except for the Virginia Military Institute, Norfolk State University, and Virginia State University, must establish rules and regulations requiring that at least 75% of students admitted and enrolled at the institution be Virginia domiciles.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 086968548

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

HB1021 Telecommuting; establishes goal for state agencies.

Chief Patron: Hugo

Summary:

Establishes a goal for state agencies to have 20 percent of their eligible workforce telecommuting by January 1, 2010.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 085666548

01/08/08 House: Referred to Committee on General Laws

01/11/08 House: Impact statement from DPB (HB1021)

01/17/08 House: Assigned GL sub: Professional/Occupational/Adminstrative Process

HB1058 Higher educational institutions; release of educational records.

Chief Patron: Amundson

Summary:

Requires the board of visitors or other governing board of any public institution of higher education to establish policies and procedures requiring the release of a student's educational record if the parent requesting the record claims the student as a dependent.

Status:

01/09/08 House: Prefiled and ordered printed; offered 01/09/08 087880412

01/09/08 House: Referred to Committee on Education

HB1195 Green Buildings Act; established.

Chief Patron: Moran

Summary:

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. The bill also requires the use of compact fluorescent light bulbs in state-owned and occupied buildings by January 1, 2010.

Status:

01/09/08 House: Prefiled and ordered printed; offered 01/09/08 082380648

01/09/08 House: Referred to Committee on General Laws

01/17/08 House: Assigned GL sub: FOIA

HB1251 Institutions of higher education; notification of mental health treatment.

Chief Patron: Fralin

Summary:

Requires the board of visitors or other governing board of any public institution of higher education to establish policies and procedures requiring the notification of a parent of a dependent student when such student receives mental health treatment at the institution's student health or counseling center and the student is found to be a danger to himself or others.

Status:

01/09/08 House: Prefiled and ordered printed; offered 01/09/08 088518504

01/09/08 House: Referred to Committee on Education

HB1298 Illegal immigrants; grounds for disciplinary action for employment thereof.

Chief Patron: Frederick

Summary:

Provides that any person holding a license, certification, or registration issued by a regulatory board established pursuant to Title 54.1 who knowingly hires any individual who cannot provide documents indicating that he is legally eligible to be employed in the United States will have his license certification, or registration suspended for 10 business days. The second or any subsequent violation shall be cause for further disciplinary action by the regulatory board including revocation or failure to renew the license, certificate, registration, or a monetary penalty not to exceed \$2,500 for each violation. In addition, the bill provides that no regulatory board established under Title 54.1 may issue a license, certification, or registration to any person who is not citizen of or legally present in the United States. The bill also requires all private employers to obtain employment eligibility verification documentation as specified in Form I-9 indicating that a prospective employee is legally eligible for employment in the United States. In addition to criminal penalties for employing illegal immigrants, the bill provides for the civil penalty of \$10,000 for each individual employed. In addition, the bill grants local commissioners of the revenue the power to deny or revoke business licenses of persons who (i) is not a United States citizen or legally present in the United States, or (ii) employs other persons who are not United States

citizens or legally present in the United States.

Status:

01/09/08 House: Prefiled and ordered printed; offered 01/09/08 081913508

01/09/08 House: Referred to Committee on Rules

01/21/08 House: Impact statement from DPB (HB1298)

HB1371 Concealed handgun permittees; carrying firearms on public property.

Chief Patron: Gilbert

Summary:

Prohibits a state entity, including the board of visitors of a state institution of higher education, from prohibiting the possession of a handgun on state property by a person with a valid concealed handgun permit, unless expressly authorized by statute to adopt such a rule, regulation, or policy.

Status:

01/09/08 House: Prefiled and ordered printed; offered 01/09/08 083346516

01/09/08 House: Referred to Committee on Militia, Police and Public Safety

HB1469 Identity theft; database breach notification.

Chief Patron: Byron

Summary:

Requires an individual or entity that owns or licenses computerized data that includes personal information to disclose any breach of the security of the system following discovery or notification of the breach to any resident of the Commonwealth whose unencrypted and unredacted personal information was, or is reasonably believed to have been accessed and acquired by an unauthorized person. A breach is defined as the unauthorized access and acquisition of unencrypted and unredacted computerized data that compromises the security or confidentiality of personal information maintained by an individual or entity as part of a database of personal information regarding multiple individuals and that causes, or the individual or entity reasonably believes has caused, or will cause, identity theft or other fraud to any resident of the Commonwealth. Violations by a state-chartered or licensed financial institution shall be enforceable exclusively by the financial institution's primary state regulator. All other violations shall be enforced by the Office of the Attorney General, which may obtain either actual damages or a civil penalty not to exceed \$150,000 per breach or series of breaches of a similar nature that are discovered in a single investigation.

Status:

01/16/08 House: Presented and ordered printed 085686448

01/16/08 House: Referred to Committee on Science and Technology

HB1504 Compromised Data Notification Act; created.

Chief Patron: Nixon

Summary:

Creates the Compromised Data Notification Act, which, following discovery or notification of a breach of a security system, requires a state agency that owns or licenses computerized data that includes personal information to provide notice of the breach to all residents of Virginia whose unencrypted personal information

was or is reasonably believed to have been acquired by an unauthorized person. The notice shall be given in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the system.

Status:

01/17/08 House: Presented and ordered printed 088909520
01/17/08 House: Committee
01/17/08 House: Committee Referral Pending
01/17/08 House: Referred to Committee on Science and Technology

HB1547 21st Century Capital Improvement Program; created, report.

Chief Patron: Putney

Summary:

Creates the 21st Century Capital Improvement Program which is a dynamic program for the orderly and systematic programming and financing of capital projects throughout the Commonwealth that will be revised annually for the acquisition, development, enhancement, planning, or replacement of public facilities over a multiyear period. In addition, the bill provides an initial list of the Program's projects; a list of projects to be constructed by bonds issued by the Virginia College Building Authority and the Virginia Public Building Authority, and a list of projects whose planning costs will be appropriated in the Budget Bill.

Status:

01/18/08 House: Presented and ordered printed 082554696
01/18/08 House: Committee
01/18/08 House: Committee Referral Pending
01/18/08 House: Referred to Committee on Appropriations

HB1554 Public Procurement Act; awarding of contracts to small, women-, or minority-owned businesses.

Chief Patron: McClellan

Summary:

Requires the Department of General Services, in conjunction with the Department of Minority Business Enterprise, to develop a program that insures that at least 15 percent of state procurement contracts are awarded to small, women-, and minority-owned businesses located in historically underutilized business zones (HUB Zone) that meet certain requirements. The bill defines HUB Zone.

Status:

01/18/08 House: Presented and ordered printed 088805624
01/18/08 House: Committee
01/18/08 House: Committee Referral Pending
01/18/08 House: Referred to Committee on General Laws

HB1558 Public Procurement Act; verification of legal presence of contractors for employment in U.S.

Chief Patron: Cline

Summary:

Requires all public contractors and their subcontractors to register and participate in a federal Electronic Work Verification Program or similar electronic verification of work authorization program to determine that their employees and individual independent contractors are legally eligible for employment in the United States. Contractors and subcontractors are required to verify the employment status of their employees and independent contractors, and are prohibited from employing or contracting with an individual who is not determined to be legally eligible for employment in the United States as determined through the verification of the individual's status. Contractors who do not register and participate in the registration program are ineligible for prequalification.

Status:

01/18/08 House: Presented and ordered printed 088912520
01/18/08 House: Committee
01/18/08 House: Committee Referral Pending
01/18/08 House: Referred to Committee on Rules

HJ23 Commending the University of Virginia Hospital Auxiliary on the occasion of its 100th anniversary.

Chief Patron: Toscano

Summary:

Commending the University of Virginia Hospital Auxiliary on the occasion of its 100th anniversary.

Status:

01/11/08 House: Agreed to by House by voice vote
01/11/08 House: Communicated to Senate
01/14/08 Senate: Received
01/14/08 Senate: Laid on Clerk's Desk
01/17/08 Senate: Agreed to by Senate by voice vote

HJ43 Higher educational institutions, online; Council of Higher Education to study establishment thereof.

Chief Patron: Poisson

Summary:

Requests that the State Council of Higher Education study the feasibility of establishing an online public institution of higher education. The Council must submit its findings and recommendations to the 2009 Session and its final findings and recommendations to the 2010 Session of the General Assembly.

Status:

12/21/07 House: Prefiled and ordered printed; offered 01/09/08 088147688
12/21/07 House: Referred to Committee on Rules

HJ68 LEED; DGS to adopt standards for new state office buildings.

Chief Patron: Plum

Summary:

Encourages the Department of General Services to adopt the Leadership in Energy and Environmental Design (LEED) Green Building Rating System into state procurement practices for the design and procurement of construction services for new state office buildings.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 086589684

01/04/08 House: Referred to Committee on Rules

HJ91 Higher Educational Institutions, public & private; joint subcommittee to study partnership thereof.

Chief Patron: Hamilton

Summary:

Establishes a joint subcommittee to study the partnership of Virginias public and private institutions of higher education to address the Commonwealths education and workforce needs. In conducting its study, the joint subcommittee shall investigate opportunities for public and private institutions of higher education to work collaboratively to address the projected enrollment demand. The joint subcommittee shall (i) review and consider the findings and implications of the enrollment projection report(s) by the State Council of Higher Education, (ii) determine current and projected workforce demands and the educational support required by business and industry; (iii) evaluate the need for change in institutional missions, programs and services, and fiscal and capacity requirements of the system of higher education, in order that Virginia may meet current and projected higher educational needs in the Commonwealth; (iv) develop alternatives and options to meet the projected enrollment demand; (v) recommend ways in which public and private institutions of higher education may partner with the Commonwealth to address the educational and workforce needs in Virginia; and (vi) consider such other related matters as may be necessary to conduct a comprehensive assessment of the implications of the projected enrollment demand.

Status:

01/07/08 House: Prefiled and ordered printed; offered 01/09/08 084683528

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

HJ99 Colleges and universities; joint subcommittee to study merits of operating in State year-round.

Chief Patron: Poisson

Summary:

Establishes a joint subcommittee to study the merits of operating colleges and universities in Virginia year-round. In conducting its study, the joint subcommittee shall (i) determine the benefits of a year-round college calendar in Virginia; (ii) identify and evaluate the economic and academic advantages and disadvantages of the year-round college calendar, including, but not limited to, cost savings, rising enrollments, more rapid graduation due to accelerated programming, higher tuition and institutional costs, administrative and curriculum problems, admissions, retention, and persistence concerns, barriers to student seasonal employment, availability and flexibility of federal financial aid and other public and private grants in aid for higher education, academic continuity, scheduling for research activities, and capacity and utilization of academic buildings, dormitories, and

other facilities. The joint subcommittee must report its findings and recommendations to the 2009 Session of the General Assembly.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 088145688

01/08/08 House: Referred to Committee on Rules

HJ119 **Small business; Joint Legislative Audit and Review Commission to study impact of eVirginia thereon.**

Chief Patron: Nutter

Summary:

Directs the Joint Legislative Audit and Review Commission (JLARC) to study the impact of eVirginia (eVA) on small businesses in the Commonwealth. In conducting its study, JLARC shall (i) identify the total number of contracts and the total dollar amount awarded to small businesses in the Commonwealth, on an annual basis, prior to implementation of the eVA procurement system; (ii) identify the total number of contracts and the total dollar amount awarded to small businesses in the Commonwealth, on an annual basis, after implementation of the eVA procurement system; and (iii) characterize the impact of the transition to eVA on small businesses in the Commonwealth.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 087028660

01/08/08 House: Referred to Committee on Rules

HJ162 **Bonds or other investment activity of state government; JLARC to study issuance and administration.**

Chief Patron: Saxman

Summary:

Directs the Joint Legislative Audit and Review Commission to study the feasibility of consolidating the issuance and administration of bonds and other investment activity of state government now performed by numerous state entities.

Status:

01/09/08 House: Prefiled and ordered printed; offered 01/09/08 088096712

01/09/08 House: Referred to Committee on Rules

HJ234 **Commending Jeanette Lancaster.**

Chief Patron: Toscano

Summary:

Commending Jeanette Lancaster.

Status:

01/16/08 House: Presented and laid on Speaker's table 085122752

01/17/08 House: Introduced bill reprinted 085122752

01/18/08 House: Engrossed by House

01/18/08 House: Agreed to by House by voice vote

01/18/08 House: Communicated to Senate

SB17 **Medical services; State's lien for payment.**

Chief Patron: Edwards

Summary:

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:

12/12/07 Senate: Prefiled and ordered printed; offered 01/09/08 087973228

12/12/07 Senate: Referred to Committee for Courts of Justice

01/10/08 Senate: Assigned Courts sub: Civil

01/18/08 Senate: Impact statement from DPB (SB17)

SB47 **Advance directives; mental health directives follows same procedures as for medical.**

Chief Patron: Whipple

Summary:

Allows for mental health advance directives, by following the same procedures as for medical advance directives. A mental health advance directive may set forth procedures or instructions with regard to mental health treatment, including consent to or refusal of mental health treatment.

Status:

12/20/07 Senate: Prefiled and ordered printed; offered 01/09/08 084668352

12/20/07 Senate: Referred to Committee on Education and Health

01/16/08 Senate: Assigned Education sub: Health Care

SB60 **Involuntary commitment; criteria.**

Chief Patron: Howell

Summary:

Changes the criteria for emergency custody orders, temporary detention orders, and involuntary commitment so that a person may be taken into emergency custody, placed under temporary detention, or involuntarily committed where it is found that (i) the person has a mental illness, and (ii) there exists a substantial likelihood that, as a result of that mental illness, the person will, in the near future, (a) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm, or (b) suffer serious harm due to substantial deterioration of his capacity to protect himself from harm or to provide for his basic human needs.

Status:

12/21/07 Senate: Prefiled and ordered printed; offered 01/09/08 083154248

12/21/07 Senate: Referred to Committee for Courts of Justice

01/16/08 Senate: Stricken at the request of Patron in Courts of Justice (15-Y 0-N)

SB76 **Law-Enforcement Officers Procedural Guarantee Act; changes to process and procedures.**

Chief Patron: Cuccinelli

Summary:

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:

12/26/07 Senate: Prefiled and ordered printed; offered 01/09/08 081084216

12/26/07 Senate: Referred to Committee for Courts of Justice

01/10/08 Senate: Assigned Courts sub: Civil

01/21/08 Senate: Reported from Courts of Justice with substitute (9-Y 5-N)

01/21/08 Senate: Committee substitute printed 080258216-S1

SB90 **Employment; verification of eligibility.**

Chief Patron: Colgan

Summary:

Requires employers to participate in an electronic employment verification system or any equivalent federal work authorization program. The measure prohibits an employer from allowing an individual to start work unless the employer has conducted the identity verification process through the electronic employment verification system and has obtained a response that affirmatively verifies that the individual is legally eligible for employment in the United States. Violations are a Class 1 misdemeanor.

Status:

12/26/07 Senate: Prefiled and ordered printed; offered 01/09/08 081092212

12/26/07 Senate: Referred to Committee on Commerce and Labor

01/11/08 Senate: Impact statement from DPB (SB90)

SB126 **Dependent Children of University and College Faculty Reduced Tuition Program; created.**

Chief Patron: Edwards

Summary:

Establishes the Dependent Children of University and College Faculty Reduced Tuition Program, to provide 50% tuition waivers for the children of current full-time faculty members who have been employed full-time by any one or more public Virginia colleges or universities 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:

01/03/08 Senate: Prefiled and ordered printed; offered 01/09/08 084026228

01/03/08 Senate: Referred to Committee on Education and Health

01/16/08 Senate: Assigned Education sub: Higher Education

SB127 **Higher educational institutions; retirement plan for teachers and administrative faculty.**

Chief Patron: Edwards

Summary:

Provides that teachers and administrative faculty of institutions of higher education who are covered under an optional retirement plan (in lieu of the Virginia Retirement System) and have 10 years of service with the Commonwealth may make a one-time, irrevocable election to transfer into VRS.

Status:

01/03/08 Senate: Prefiled and ordered printed; offered 01/09/08 082823228

01/03/08 Senate: Referred to Committee on Finance

SB128 **Higher educational institutions; optional retirement plan for certain employees.**

Companion Bill: HB482

Chief Patron: Edwards

Summary:

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:

01/03/08 Senate: Prefiled and ordered printed; offered 01/09/08 082824228

01/03/08 Senate: Referred to Committee on Finance

SB129 **Emergency custody orders, temporary detention orders, and involuntary commitment; criteria.**

Chief Patron: Cuccinelli

Summary:

Changes the criteria for emergency custody orders, temporary detention orders, and involuntary commitment so that a person may be taken into emergency custody, placed under temporary detention, or involuntarily committed where it is found that (i) the person has a mental illness and (ii) there exists a substantial likelihood that, as a result of that mental illness, the person will, in the near future, (a) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm or (b) suffer serious harm due to substantial deterioration of his capacity to protect himself from harm or to provide for his basic human needs. The bill also changes the criteria for the involuntary commitment of criminal defendants prior to trial, after conviction but before sentencing, and after sentencing to conform with clause (i) and (ii) (a) discussed above.

Status:

01/03/08 Senate: Prefiled and ordered printed; offered 01/09/08 087988216

01/03/08 Senate: Referred to Committee for Courts of Justice

SB130 **Freedom of Information Act; exemptions for certain records of public institutions of higher ed.**

Companion Bill: HB407

Chief Patron: Houck

Summary:

Exempts records maintained by a public institution of higher education in connection with fundraising activities conducted by or for such institution to the extent that such records reveal (i) personal fundraising strategies relating to identifiable donors or prospective donors or (ii) wealth assessments; estate, financial, or tax planning information; health-related information; employment, familial, or marital status information; electronic mail addresses, facsimile or telephone numbers; birth dates or social security numbers of identifiable donors or prospective donors.

Status:

01/03/08 Senate: Prefiled and ordered printed; offered 01/09/08 088093244

01/03/08 Senate: Referred to Committee on General Laws and Technology

SB132 **Government Data Collection and Dissemination Practices Act; disclosure of personal information.**

Companion Bill: HB634

Chief Patron: Houck

Summary:

Provides that no agency shall require an individual to furnish or disclose his social security number (SSN) or driver's license number unless the furnishing or disclosure of such number is (i) expressly authorized by state or federal law and (ii) essential for the performance of that agency's duties. The bill also strengthens the remedies provisions of the GDCDPA by adding civil penalties matching those in FOIA, and grants general district courts the authority to hear GDCDPA cases. Additionally, the bill has enactment clauses giving it a delayed effective date of July 1, 2009, and requires state agencies to study their own collection and use of SSNs and report to the FOIA Council and JCOTS on such collection and use by October 1, 2008. The bill also contains a fourth enactment clause providing for the gathering of similar information about the use and collection of SSNs by cities, counties and towns with a population greater than 15,000. The bill is a recommendation of the Freedom of Information Advisory Council and JCOTS.

Status:

01/03/08 Senate: Prefiled and ordered printed; offered 01/09/08 081756244

01/03/08 Senate: Referred to Committee on General Laws and Technology

01/18/08 Senate: Impact statement from DPB (SB132)

SB338 **Public funds; payment for membership to professional associations in certain instances prohibited.**

Chief Patron: Cuccinelli

Summary:

Provides that no public funds may be used to pay for the membership of any employee in a professional association as a condition of employment unless membership in the professional association is required for the employee to maintain a professional or occupational license, certification, or registration that is directly related to the performance of official duties.

Status:

01/08/08 Senate: Prefiled and ordered printed; offered 01/09/08 082370216

01/08/08 Senate: Referred to Committee on Local Government

SB344 Stroke Triage Plan; Board of Health to develop and maintain as component of EMS Plan.

Companion Bill: HB479

Chief Patron: Blevins

Summary:

Requires the Board of Health to develop and maintain as a component of the Emergency Medical Services Plan a statewide pre-hospital and interhospital Stroke Triage Plan designed to promote rapid access for stroke patients to appropriate, organized stroke care. The Plan shall include formal regional stroke triage plans, which shall be reviewed triennially.

Status:

01/08/08 Senate: Prefiled and ordered printed; offered 01/09/08 084043840

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

01/15/08 Senate: Impact statement from DPB (SB344)

01/17/08 Senate: Reported from Education and Health with amendment (13-Y 0-N)

01/17/08 Senate: Rereferred to Finance

SB346 Accountability, State Office of; established.

Chief Patron: Blevins

Summary:

Establishes the State Office of Accountability to be headed by a State Inspector General to investigate complaints alleging fraud, waste, abuse, corruption, or mistreatment of citizens of the Commonwealth by a locality or state agency or public officers and employees. The bill also authorizes the State Inspector General to examine the management and operation of state agencies and provides a record exemption under the Freedom of Information Act for certain documents of the Office.

Status:

01/08/08 Senate: Prefiled and ordered printed; offered 01/09/08 086621204

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

01/16/08 Senate: Passed by indefinitely in General Laws and Technology (14-Y 0-N)

SB355 Law-Enforcement Officers Procedural Guarantee Act; changes process and procedures.

Chief Patron: Deeds

Summary:

Makes several changes in the process and procedures afforded to officers under the procedural guarantee act, including right to counsel, notice of allegations, and a prohibition against a complaining officer being in charge of an investigation. The bill also grants the officer under investigation an opportunity to review the file at the conclusion of the investigation.

Status:

01/08/08 Senate: Prefiled and ordered printed; offered 01/09/08 081729220

01/08/08 Senate: Referred to Committee for Courts of Justice

01/11/08 Senate: Assigned Courts sub: Civil

01/21/08 Senate: Incorporated by Courts of Justice (SB76-Cuccinelli) (14-Y 0-N)

SB426 Public Procurement Act; verification of legal presence for eligibility of employment.

Chief Patron: Barker

Summary:

Requires all public contractors and their subcontractors to register and participate in a federal Electronic Work Verification Program or similar electronic verification of work authorization program to determine that their employees and individual independent contractors are legally eligible for employment in the United States. Contractors and subcontractors are required to verify the employment status of their employees and independent contractors, and are prohibited from employing or contracting with an individual who is not determined to be legally eligible for employment in the United States as determined through the verification of the individual's status. Contractors who do not register and participate in the registration program are ineligible for prequalification.

Status:

01/08/08 Senate: Prefiled and ordered printed; offered 01/09/08 081114201

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

SB447 Capital outlay projects; LEED standards applicable to state-owned buildings.

Chief Patron: Petersen

Summary:

Requires all state-owned buildings that encompass a total of area of over 10,000 square feet 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. The provisions of the bill do not apply to construction projects of public school districts.

Status:

01/09/08 Senate: Prefiled and ordered printed; offered 01/09/08 087981293

01/09/08 Senate: Referred to Committee on General Laws and Technology

SB516 State & public employment; required eligibility verification documentation.

Chief Patron: Cuccinelli

Summary:

Prohibits state and local government agencies from knowingly employing any person who is not a citizen of the United States or who does not provide employment eligibility verification documentation as specified in the Department of Homeland Security Employment Eligibility Verification Form I-9 indicating that he is legally eligible for employment in the United States. An intentional violation of this prohibition by any state employee or official, after notice from the Governor, or his designees, to desist, shall subject him to suspension or permanent dismissal from employment or office. The bill also requires the Department of Human Resource Management to compile an annual report detailing (i) the number of persons suspended and the length of the suspensions, and (ii) the number of persons permanently dismissed.

Status:

01/09/08 Senate: Prefiled and ordered printed; offered 01/09/08 082356216

01/09/08 Senate: Referred to Committee for Courts of Justice

SB538 Higher educational institutions; first warning and emergency notification system required.

Chief Patron: Obenshain

Summary:

Mandates that by August 1, 2008, each public institution of higher education establish a comprehensive, prompt, and reliable first warning and emergency notification system for students, staff, and faculty.

Status:

01/09/08 Senate: Prefiled and ordered printed; offered 01/09/08 081404804

01/09/08 Senate: Referred to Committee on Education and Health

01/16/08 Senate: Assigned Education sub: Higher Education

01/17/08 Senate: Impact statement from DPB (SB538)

SB539 Higher educational institutions; board of visitors to establish threat assessment team.

Companion Bill: HB1316

Chief Patron: Obenshain

Summary:

Requires the board of visitors or other governing body of every public institution of higher education in the Commonwealth to establish a threat assessment team. The bill also requires the team to adopt a campus-wide threat assessment policy and to regularly seek cooperation from (i) residential life; (ii) academic affairs; (iii) law enforcement; (iv) the counseling center; and (v) student judicial affairs.

Status:

01/09/08 Senate: Prefiled and ordered printed; offered 01/09/08 089833288

01/09/08 Senate: Referred to Committee on Education and Health

01/16/08 Senate: Assigned Education sub: Higher Education

SB555 Auditor of Public Accounts; auditing services.

Chief Patron: Obenshain

Summary:

Provides that auditing services for city and county officials and executive branch agencies handling state funds may be performed by licensed independent certified public accountants in lieu of such services being performed by the Auditor of Public Accounts. Such officials and agencies would be authorized to contract with licensed independent certified public accountants for such auditing services. If the Auditor of Public Accounts performs such auditing services, he would be authorized to charge a fee that does not exceed the reasonable cost for similar services provided by a licensed independent certified public accountant.

Status:

01/09/08 Senate: Prefiled and ordered printed; offered 01/09/08 086254288

01/09/08 Senate: Referred to Committee on General Laws and Technology

SB569 University of Virginia; appointments of Board of Visitors.

Companion Bill: HB989

Chief Patron: Saslaw

Summary:

Provides that all appointments made on or after July 1, 2008, to the board of visitors must be for terms of four years that commence on July 1 of the first year of appointment. Such terms expire on June 30 of the year of scheduled expiration, including appointments made before July 1, 2008.

Status:

01/09/08 Senate: Prefiled and ordered printed; offered 01/09/08 086616324

01/09/08 Senate: Referred to Committee on Education and Health

01/17/08 Senate: Reported from Education and Health (13-Y 0-N)

01/18/08 Senate: Constitutional reading dispensed (38-Y 0-N)

01/21/08 Senate: Read second time and engrossed

SB581 Educational Facilities Bond Act of 2008; created.

Companion Bill: HB594

Chief Patron: Colgan

Summary:

Authorizes the issuance of 9(b) bonds in a principal amount not to exceed \$1,525,492,000 for certain educational facilities, subject to approval by the voters voting at the November 4, 2008, general election.

Status:

01/09/08 Senate: Prefiled and ordered printed; offered 01/09/08 082864818

01/09/08 Senate: Referred to Committee on Finance

01/17/08 Senate: Impact statement from DPB (SB581)

SB636 Higher educational institutions; requesting complete student record from high school.

Chief Patron: Cuccinelli

Summary:

Summary as introduced:

Students' high school records.

Status:

01/09/08 Senate: Prefiled and ordered printed; offered 01/09/08 089842216

01/09/08 Senate: Referred to Committee on Education and Health

SB705 William and Mary, College of; management agreement with State.

Chief Patron: Norment

Summary:

Clarifies the management agreement between the Commonwealth and the College of William and Mary to provide that other than the College Building Official, no individual licensed professional architect or engineer hired or contracted with to perform these functions shall also perform other building code-related design, construction, facilities-related project management or facilities management functions for the College on the same capital project

Status:

01/16/08 Senate: Presented and ordered printed 088893284

01/16/08 Senate: Referred to Committee on Finance

01/18/08 Senate: Impact statement from DPB (SB705)

SJ117 Governor; confirming appointments.

Chief Patron: Howell

Summary:

Confirms appointments made by Governor Kaine of his Chief of Staff and to certain boards and communicated to the General Assembly June 1, 2007.

Status:

01/14/08 Senate: Presented and ordered printed 087610814

01/14/08 Senate: Referred to Committee on Privileges and Elections