

Legislative Report
University of Virginia -- Office of State Governmental Relations
February 17, 2008

HB14	Higher educational institutions; aliens unlawfully present not eligible for admission thereto. (Chief Patron: Peace)	6
HB37	Higher educational institutions; selective service registration required. (Chief Patron: Albo)	6
HB51	Immigration laws; immunity to State agencies and employees, etc. for authorized enforcement. (Chief Patron: Lingamfelter)	6
HB55	English; designating as official language of State. (Chief Patron: Lingamfelter)	6
HB71	Building permit; localities may adopt provisions for assessment of impact fees prior to issuance. (Chief Patron: Marshall, R.G.)	7
HB72	Building permit; localities may use impact fees for capital improvements. (Chief Patron: Marshall, R.G.)	7
HB81	Abortion; illegal upon overturning of Roe v. Wade. (Chief Patron: Marshall, R.G.)	8
HB109	Firearms; regulation thereof by state entities. (Chief Patron: Cole)	8
HB118	Higher education; required to report to SCHEV on steps taken to ensure academic freedom, etc. (Chief Patron: Landes)	8
HB121	Mental health treatment for minors; parental notification required. (Chief Patron: Lingamfelter)	9
HB123	Higher educational institutions; enrollment of aliens. (Chief Patron: Hargrove)	9
HB128	Retirement System; creating new defined contribution retirement plan. (Chief Patron: Purkey)	9
HB143	Medical bills and charges; patient, patient's attorney, etc. may obtain list at no cost. (Chief Patron: Kilgore)	10
HB157	Immigration laws; immunity to State agencies and employees, etc. for authorized enforcement. (Chief Patron: Nichols)	10
HB165	Higher educational institutions; automatic admission to certain students. (Chief Patron: Poisson)	10
HB166	Venture capital investments; creates program which makes investment return guarantees for certain. (Chief Patron: Purkey)	11
HB247	Hospital emergency departments; ability to access electronic health records. (Chief Patron: O'Bannon)	11
HB280	Decedent's will; unsupervised probate. (Chief Patron: Watts)	11
HB313	Freedom of Information Act; working papers and correspondence. (Chief Patron: Landes)	12
HB318	Hospitalization insurance; balance billing by nonparticipating physicians. (Chief Patron: Cox)	12
HB381	Certificate of public need; exempting certain facilities from the requirement of obtaining. (Chief Patron: O'Bannon)	12
HB384	Computer trespass; alters elements of crime. (Chief Patron: Ware, R.L.)	13

HB390	Compromised Data Notification Act; created. (Chief Patron: Bulova)	13
HB398	Certificate of public need; relocation of nursing home beds. (Chief Patron: Hamilton)	13
HB399	Dialysis patient care technician; adds administration of erythropoietic agents to list. (Chief Patron: Hamilton)	14
HB407	Freedom of Information Act; exemptions for certain records of public institutions of higher ed. (Chief Patron: Oder)	14
HB416	Innovative Technology Authority and Center; repealed, adding certain Funds, report. (Chief Patron: Marshall, R.G.)	15
HB422	Abortion; post-viability. (Chief Patron: Marshall, R.G.)	15
HB424	Higher educational institutions; possession of concealed handguns by faculty members. (Chief Patron: Marshall, R.G.)	15
HB425	Higher educational institutions; birth certificate required for admission, report. (Chief Patron: Marshall, R.G.)	15
HB429	Abortion; forced or coerced prohibited, penalty. (Chief Patron: Marshall, R.G.)	16
HB479	Stroke Triage Plan; Board of Health to develop and maintain as component of EMS Plan. (Chief Patron: Hamilton)	16
HB482	Higher educational institutions; optional retirement plan for certain employees. (Chief Patron: Shuler)	17
HB502	Certificate of public need; introduce institutional competition into a health planning region. (Chief Patron: Hamilton)	17
HB594	Educational Facilities Bond Act of 2008; created. (Chief Patron: Hamilton)	17
HB616	Malpractice actions; limitations. (Chief Patron: Amundson)	18
HB634	Government Data Collection and Dissemination Practices Act; disclosure of personal information. (Chief Patron: May)	18
HB667	Health insurance; coverage for alternatives to surgery. (Chief Patron: Marshall, R.G.)	19
HB670	Abortion; regulation of provider businesses. (Chief Patron: Marshall, R.G.)	19
HB671	Parental notification; student's receipt of mental health treatment. (Chief Patron: Marshall, R.G.)	20
HB751	Involuntary commitment hearings; accessibility of results by colleges and universities. (Chief Patron: Peace)	20
HB752	Higher educational institutions; mental health record release authorization when enrolling. (Chief Patron: Peace)	21
HB852	Governmental employees; repeals provisions that prohibit bargaining with labor union. (Chief Patron: Ebbin)	21
HB900	Value engineering; submission thereof to report to Division of Engineering & Buildings. (Chief Patron: Scott, J.M.)	21
HB928	Illegal immigration; adopts several measures aimed at curbing in State, report. (Chief Patron: Gilbert)	22
HB989	University of Virginia; appointment of board of visitors. (Chief Patron: Bell)	22
HB1004	Advance directives; mental health directives follows same procedures as for medical. (Chief Patron: Bell)	22

HB1005	Higher educational institutions; notification to parent of mental health treatment for student. (Chief Patron: Bell)	23
HB1011	Higher educational institutions; admission of in-state students. (Chief Patron: Hugo)	23
HB1058	Higher educational institutions; release of educational records. (Chief Patron: Amundson)	23
HB1116	Environmental impact reports; required for any major state construction project over \$500,000. (Chief Patron: Abbitt)	24
HB1124	Virginia Commonwealth University; management agreement with State. (Chief Patron: Jones, S.C.)	24
HB1170	Driver's license, commercial; passenger-carrying vehicle transporting fewer than 16 required. (Chief Patron: Cosgrove)	24
HB1190	Infant mortality; requires certain measures designed to lower. (Chief Patron: Moran)	25
HB1195	Green Buildings Act; established. (Chief Patron: Moran)	25
HB1251	Institutions of higher education; notification of mental health treatment. (Chief Patron: Fralin)	25
HB1298	Illegal immigrants; employment thereof. (Chief Patron: Frederick)	26
HB1305	Birth-Related Neurological Injury Compensation Program; increases annual assessment for physicians. (Chief Patron: Morgan)	26
HB1315	Informed consent for abortion; ultrasound required before performing to determine gestation age. (Chief Patron: Byron)	27
HB1371	Concealed handgun permittees; carrying firearms on public property. (Chief Patron: Gilbert)	27
HB1469	Identity theft; notice of database breach. (Chief Patron: Byron)	28
HB1504	Compromised Data Notification Act; created. (Chief Patron: Nixon)	28
HB1543	Surgical complications; requires physicians to report. (Chief Patron: Janis)	28
HB1547	21st Century Capital Improvement Program; created, report. (Chief Patron: Putney)	29
HB1554	Public Procurement Act; awarding of contracts to small, women-, or minority-owned businesses. (Chief Patron: McClellan)	29
HB1556	Unborn child pain information; requires doctors to offer to anesthetize fetus prior to abortion. (Chief Patron: Cline)	30
HB1558	Public Procurement Act; verification of legal presence of contractors for employment. (Chief Patron: Cline)	30
HJ23	Commending the University of Virginia Hospital Auxiliary on the occasion of its 100th anniversary. (Chief Patron: Toscano)	30
HJ43	Higher educational institutions, online; Council of Higher Education to study establishment thereof. (Chief Patron: Poisson)	31
HJ68	LEED; DGS to adopt standards for new state office buildings. (Chief Patron: Plum)	31
HJ91	Higher educational institutions; joint subcommittee to study ways State may work closer therewith. (Chief Patron: Hamilton)	31
HJ99	Colleges and universities; joint subcommittee to study merits of operating in State year-round. (Chief Patron: Poisson)	32

HJ119	Small business; Joint Legislative Audit and Review Commission to study impact of eVirginia thereon. (Chief Patron: Nutter)	32
HJ162	Bonds or other investment activity of state government; JLARC to study issuance and administration. (Chief Patron: Saxman)	33
HJ234	Commending Jeanette Lancaster. (Chief Patron: Toscano)	33
HJ247	International education; recognizing importance in higher educational institutions. (Chief Patron: Tata)	33
SB17	Medical services; State's lien for payment. (Chief Patron: Edwards)	33
SB47	Advance directives; mental health directives follows same procedures as for medical. (Chief Patron: Whipple)	34
SB60	Involuntary commitment; criteria. (Chief Patron: Howell)	34
SB76	Law-Enforcement Officers Procedural Guarantee Act; changes to process and procedures. (Chief Patron: Cuccinelli)	35
SB90	Employment; verification of eligibility. (Chief Patron: Colgan)	35
SB126	Dependent Children of University and College Faculty Tuition Grant Program; created. (Chief Patron: Edwards)	35
SB127	Higher educational institutions; retirement plan for teachers and administrative faculty. (Chief Patron: Edwards)	36
SB128	Higher educational institutions; optional retirement plan for certain employees. (Chief Patron: Edwards)	36
SB129	Emergency custody orders, temporary detention orders, and involuntary commitment; criteria. (Chief Patron: Cuccinelli)	36
SB130	Freedom of Information Act; exemptions for certain records of public institutions of higher ed. (Chief Patron: Houck)	37
SB132	Government Data Collection and Dissemination Practices Act; disclosure of personal information. (Chief Patron: Houck)	37
SB211	Birth-Related Neurological Injury Compensation Program; increases annual assessment for physicians. (Chief Patron: Edwards)	38
SB307	Identity theft; notice of database breach. (Chief Patron: Reynolds)	38
SB338	Public funds; payment for membership to professional associations in certain instances prohibited. (Chief Patron: Cuccinelli)	39
SB344	Stroke Triage Plan; Board of Health to develop and maintain as component of EMS Plan. (Chief Patron: Blevins)	39
SB346	Accountability, State Office of; established. (Chief Patron: Blevins)	40
SB355	Law-Enforcement Officers Procedural Guarantee Act; changes process and procedures. (Chief Patron: Deeds)	40
SB358	Virginia Commonwealth University; management agreement with State. (Chief Patron: Watkins)	40
SB426	Public Procurement Act; verification of legal presence of contractors for employment. (Chief Patron: Barker)	41
SB447	Green Buildings Act; Department of General Services determines when project qualifies for exemption. (Chief Patron: Petersen)	41

SB503	Emergency Medical Services, Department of; established. (Chief Patron: Northam)	41
SB516	State & public employment; required eligibility verification documentation. (Chief Patron: Cuccinelli)	42
SB538	Higher educational institutions; first warning and emergency notification system required. (Chief Patron: Obenshain)	42
SB539	Higher educational institutions; board of visitors, etc. to establish violence prevention committee. (Chief Patron: Obenshain)	43
SB555	Auditor of Public Accounts; auditing services. (Chief Patron: Obenshain)	43
SB569	University of Virginia; appointments of Board of Visitors. (Chief Patron: Saslaw)	43
SB581	Educational Facilities Bond Act of 2008; created. (Chief Patron: Colgan)	44
SB636	Higher educational institutions; requesting complete student record from high school. (Chief Patron: Cuccinelli)	44
SB705	William and Mary, College of; management agreement with State. (Chief Patron: Norment)	44
SB745	Verification, legal presence; public schools and higher education. (Chief Patron: Hanger)	45
SB762	Abortion; forced or coerced prohibited, penalty. (Chief Patron: Smith)	45
SB781	Higher educational institutions; enrollment of aliens. (Chief Patron: Vogel)	45
SB795	College Building Authority; certain projects financed thereby. (Chief Patron: Colgan)	45
SJ117	Governor; confirming appointments. (Chief Patron: Howell)	46
SJ130	International education; recognizing importance in higher educational institutions. (Chief Patron: Quayle)	46
SJ175	Commending the Emily Couric Clinical Cancer Center. (Chief Patron: Deeds)	46

HB14 **Higher educational institutions; 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:

02/04/08 House: VOTE: --- PASSAGE (73-Y 26-N)
02/04/08 House: Communicated to Senate
02/05/08 Senate: Constitutional reading dispensed
02/05/08 Senate: Referred to Committee on Education and Health
02/05/08 House: Impact statement from DPB (HB14H1)

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)
01/29/08 House: Tabled in Rules

HB51 **Immigration laws; immunity to State agencies and employees, etc. for authorized enforcement.**

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
01/22/08 House: Impact statement from DPB (HB51)
02/05/08 House: Continued to 2009 in 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

01/22/08 House: Impact statement from DPB (HB55)

02/05/08 House: Continued to 2009 in 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)

02/12/08 House: Left in Counties, Cities and Towns

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)

02/12/08 House: Left in Counties, Cities and Towns

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)

01/23/08 House: Impact statement from DPB (HB81)

02/12/08 House: Left in Rules

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

02/12/08 House: Left in 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:

01/25/08 Senate: Constitutional reading dispensed
01/25/08 Senate: Referred to Committee on Education and Health
02/05/08 House: Fiscal impact review from JLARC (HB118E)
02/07/08 House: Impact statement from DPB (HB118E)
02/12/08 Senate: Assigned Education sub: Higher Education

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:

01/29/08 House: VOTE: --- PASSAGE (88-Y 10-N)
01/29/08 House: Communicated to Senate
01/30/08 Senate: Constitutional reading dispensed
01/30/08 Senate: Referred to Committee on Education and Health
02/12/08 Senate: Assigned Education sub: Health Care

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
01/23/08 House: Impact statement from DPB (HB123)
01/29/08 House: Incorporated by Rules (HB14-Peace)

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.)
01/22/08 House: Impact statement from VRS (HB128)
02/12/08 House: Left in Appropriations

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
02/12/08 House: Left in Courts of Justice

HB157 Immigration laws; immunity to State agencies and employees, 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
01/22/08 House: Impact statement from DPB (HB157)
02/12/08 House: Left in 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

01/30/08 House: Impact statement from DPB (HB165)

02/12/08 House: Left in 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)

02/12/08 House: Left in Appropriations

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

01/24/08 House: Continued to 2009 in 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

01/21/08 House: Continued to 2009 in Courts of Justice

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

02/12/08 House: Left in 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

01/22/08 House: Impact statement from SCC (HB318)

02/12/08 House: Left in Commerce and Labor

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)

02/05/08 House: Failed to report (defeated) in Health, Welfare and Institutions (7-Y 15-N)

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: Referred to Committee for Courts of Justice

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

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

02/04/08 House: Impact statement from DPB (HB384)

02/12/08 House: Left in Courts of Justice

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:

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

01/22/08 House: Referred from General Laws

01/22/08 House: Referred to Committee on Science and Technology

01/29/08 House: Assigned S & T sub: #1

02/04/08 House: Incorporated by Science and Technology (HB1469-Byron)

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: 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
02/12/08 Senate: Assigned Education sub: Health Licensing

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:

02/08/08 House: Read third time and passed House (92-Y 6-N)
02/08/08 House: VOTE: --- PASSAGE (92-Y 6-N)
02/08/08 House: Communicated to Senate
02/11/08 Senate: Constitutional reading dispensed

02/11/08 Senate: Referred to Committee on General Laws and Technology

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)

02/12/08 House: Left in Science and Technology

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)

02/04/08 House: Impact statement from DPB (HB422)

02/12/08 House: Left in Courts of Justice

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

02/12/08 House: Left in 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

01/28/08 House: Impact statement from DPB (HB425)

01/29/08 House: Incorporated by Rules (HB14-Peace)

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:

02/12/08 House: Read third time and passed House (64-Y 35-N)

02/12/08 House: VOTE: --- PASSAGE (64-Y 35-N)

02/12/08 House: Communicated to Senate

02/13/08 Senate: Constitutional reading dispensed

02/13/08 Senate: Referred to Committee on Education and Health

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:

01/21/08 Senate: Constitutional reading dispensed

01/21/08 Senate: Referred to Committee on Education and Health

01/24/08 House: Impact statement from DPB (HB479E)
02/14/08 Senate: Reported from Education and Health (13-Y 0-N)
02/15/08 Senate: Constitutional reading dispensed (38-Y 1-N)

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.)
01/24/08 House: Impact statement from VRS (HB482)
02/12/08 House: Left in Appropriations

HB502 Certificate of public need; introduce institutional competition into a health planning region.

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:

02/05/08 House: VOTE: --- PASSAGE (94-Y 2-N 2-A)
02/05/08 House: Communicated to Senate
02/06/08 Senate: Constitutional reading dispensed
02/06/08 Senate: Referred to Committee on Education and Health
02/15/08 House: Impact statement from DPB (HB502E)

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)

02/12/08 House: Left in Appropriations

HB616 Malpractice actions; limitations.

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:

02/08/08 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

02/08/08 House: Communicated to Senate

02/11/08 Senate: Constitutional reading dispensed

02/11/08 Senate: Referred to Committee for Courts of Justice

02/12/08 Senate: 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:

02/12/08 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

02/12/08 House: Communicated to Senate

02/12/08 House: Impact statement from DPB (HB634E)

02/13/08 Senate: Constitutional reading dispensed

02/13/08 Senate: Referred to Committee on General Laws and Technology

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)

01/25/08 House: Assigned C & L sub: 2

01/29/08 House: Passed by in Commerce and Labor with letter (21-Y 0-N)

HB670 Abortion; regulation of provider businesses.

Chief Patron: **Marshall, R.G.**

Summary:

Provides that an abortion provider business shall be permitted to operate only in any location at which applicable zoning and land use regulations permit the operation of a hospital; however, the operation of an abortion provider business is prohibited if the location is within 1,500 feet of a church, synagogue, regular place of religious worship, public or private elementary or secondary school, licensed day-care center, public park, residential district, or child or family entertainment business. If an abortion provider business is operating on July 1, 2008, in violation of these location restrictions, it is a nonconforming use, which may continue for a maximum of two years, after which time the continued operation of the nonconforming business shall be unlawful. The measure makes it a Class 1 misdemeanor to own, operate, or manage an abortion provider business in violation of these location restrictions, unless its operation is permitted as a nonconforming use. It is also a Class 1 misdemeanor to operate an abortion provider business if an owner, operator, manager, or employee (i) has been convicted of a criminal activity or is awaiting trial on pending charges of a felony or misdemeanor, (ii) has had a previous license under any health care statute or regulation or abortion provider business statute from any state or locality denied, suspended, or revoked, (iii) has any unsatisfied judgments for indebtedness or damages incurred as a result of the provision of health care or the conduct of an abortion provider business, (iv) has falsely answered a question or request for information on any health care or business licensing form, (v) is under the age of 18 years, (vi) has had a health care license or certification revoked or suspended by any licensing or regulatory authority within the preceding 10 years, (vii) uses an alias or any name other than his legal name by which to identify himself to persons using the services of the abortion provider business, (viii) has operated or performed services in an abortion provider business while intoxicated by the use of alcoholic beverages or controlled substances, (ix) refused to allow prompt inspection of the business by state or local government inspectors, (x) had patient contact when not licensed by the appropriate health care agency for that level of patient contact, (xi) permitted any person to have patient contact who is not licensed by the appropriate health care agency for that level of patient contact, (xii) permitted the possession, use, or sale of controlled substances on the premises other than as prescribed by a physician, (xiii) permitted the sale, use, or consumption of

alcoholic beverages on the premises, (xiv) permitted the illegal dissemination of prescription drugs on the premises, (xv) permitted the performance of abortions on a minor without the parents or courts permission, or (xvi) permitted the performance of abortions with the assistance of any person who is not licensed by the appropriate health care agency for that level of patient contact. The measure further makes it a Class 1 misdemeanor (a) to own, operate, or manage an abortion provider business at a premises that has not been approved by its jurisdictions health department, fire department, and the building department as being in compliance with all applicable local, state, and federal laws, regulations, and statutes governing outpatient surgical facilities, (b) to allow a person under age 18 to enter or be on the premises of an open abortion provider business without the permission of the minors parents or the approval of a court, (c) for the operator of an abortion provider business to fail to ensure that an attendant is stationed at each public entrance to the abortion provider business at all times during such abortion provider businesss regular business hours, and (d) for an attendant to fail to prevent any person under the age of 18 years from entering the abortion provider business without the permission of the minors parents or approval of a court. Courts are authorized to enjoin violations. Persons injured by violations may recover treble damages, including consequential damages, emotional damages, and loss of consortium, and litigation expenses.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 080018616
01/08/08 House: Referred to Committee for Courts of Justice
02/12/08 House: Left in Courts of Justice

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
01/22/08 House: Impact statement from DPB (HB671)
02/04/08 House: Incorporated by Education (HB1005-Bell)

HB751 Involuntary commitment hearings; 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

01/29/08 House: Continued to 2009 in 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

01/22/08 House: Impact statement from DPB (HB752)

02/04/08 House: Continued to 2009 in 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:

01/24/08 House: Motion by Delegate Ebbin to strike rejected (43-Y 55-N)

01/24/08 House: VOTE: --- REJECTED (43-Y 55-N)

01/24/08 House: Pending question ordered

01/24/08 House: Engrossment refused by House (0-Y 82-N)

01/24/08 House: VOTE: --- ENGROSSMENT REFUSED (0-Y 82-N)

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:

02/12/08 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

02/12/08 House: Communicated to Senate

02/13/08 House: Impact statement from DPB (HB900E)

02/13/08 Senate: Constitutional reading dispensed

02/13/08 Senate: Referred to Committee on General Laws and Technology

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)

02/12/08 House: Left in Rules

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:

01/21/08 House: Communicated to Senate

01/23/08 Senate: Constitutional reading dispensed

01/23/08 Senate: Referred to Committee on Education and Health

02/14/08 Senate: Reported from Education and Health (15-Y 0-N)

02/15/08 Senate: Constitutional reading dispensed (38-Y 1-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

01/29/08 House: Continued to 2009 in 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:

02/07/08 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

02/07/08 House: Communicated to Senate

02/08/08 Senate: Constitutional reading dispensed

02/08/08 Senate: Referred to Committee on Education and Health

02/15/08 House: Impact statement from DPB (HB1005H1)

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

01/22/08 House: Impact statement from DPB (HB1011)

02/12/08 House: Left in Education

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:

01/31/08 House: Communicated to Senate

02/01/08 Senate: Constitutional reading dispensed

02/01/08 Senate: Referred to Committee on Education and Health

02/12/08 Senate: Assigned Education sub: Higher Education

02/15/08 House: Impact statement from DPB (HB1058E)

HB1116 Environmental impact reports; required for any major state construction project over \$500,000.

Chief Patron: Abbitt

Summary:

Requires an environmental impact report be done for any major state construction project that will cost \$1 million or more. The current threshold amount requiring such a report is \$100,000.

Status:

01/28/08 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

01/28/08 House: Communicated to Senate

01/29/08 Senate: Constitutional reading dispensed

01/29/08 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources

02/12/08 House: Impact statement from DPB (HB1116E)

HB1124 Virginia Commonwealth University; management agreement with State.

Companion Bill: SB358

Chief Patron: Jones, S.C.

Summary:

Provides a management agreement between the Commonwealth of Virginia and Virginia Commonwealth University pursuant to the Restructured Higher Education Financial and Administrative Operations Act.

Status:

02/08/08 House: Communicated to Senate

02/11/08 Senate: Constitutional reading dispensed

02/11/08 Senate: Referred to Committee on Education and Health

02/14/08 Senate: Reported from Education and Health with amendment (15-Y 0-N)

02/14/08 Senate: Rereferred to Finance

HB1170 Driver's license, commercial; passenger-carrying vehicle transporting fewer than 16 required.

Chief Patron: Cosgrove

Summary:

Makes passenger-carrying vehicle designed to transport fewer than 16 passengers including the driver and that is offered for rent, for hire, or any complimentary or incidental service a "commercial motor vehicle" requiring a commercial driver's license to operate.

Status:

01/09/08 House: Prefiled and ordered printed; offered 01/09/08 084549472

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

01/23/08 House: Impact statement from DPB (HB1170)

02/12/08 House: Left in Transportation

HB1190 Infant mortality; requires certain measures designed to lower.

Chief Patron: Moran

Summary:

Requires certain measures designed to lower the infant mortality rate in the Commonwealth, including: (i) expanding FAMIS eligibility for pregnant women with an income level up to 200 percent of the federal poverty level and providing coverage for one year postpartum; (ii) prohibiting the state from charging copayments for prenatal services for state employees; (iii) designating a senior employee of the Department of Health as coordinator for the state's home visitation programs designed to limit infant mortality; (iv) giving the Department of Social Services responsibility for coordinating efforts among faith-based organizations working to reduce infant mortality; and (v) requiring the Commissioner of Health to launch a public education campaign aimed at preventing Sudden Infant Death Syndrome.

Status:

02/05/08 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N)
02/05/08 House: Referred to Committee on Appropriations
02/05/08 House: Committee substitute printed 088575648-H1
02/06/08 House: Assigned App. sub: Health & Human Resources (Hamilton)
02/12/08 House: Left in Appropriations

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
01/25/08 House: Impact statement from DPB (HB1195)
02/12/08 House: Left in General Laws

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

01/22/08 House: Impact statement from DPB (HB1251)

02/04/08 House: Incorporated by Education (HB1005-Bell)

HB1298 Illegal immigrants; 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:

02/12/08 House: Read third time and passed House (96-Y 3-N)

02/12/08 House: VOTE: --- PASSAGE (96-Y 3-N)

02/12/08 House: Communicated to Senate

02/13/08 Senate: Constitutional reading dispensed

02/13/08 Senate: Referred to Committee for Courts of Justice

HB1305 Birth-Related Neurological Injury Compensation Program; increases annual assessment for physicians.

Companion Bill: SB211

Chief Patron: Morgan

Summary:

Increases the annual assessment for physicians who participate in the Virginia Birth-Related Neurological Injury Compensation Program from its current level of \$5,300 to \$5,600, which amount will increase thereafter to a maximum of \$6,200. The annual participating hospital assessment will increase from \$50 per live birth to \$52.50 per live birth in 2008, which amount will increase each year thereafter by \$2.50 per live birth to a maximum of \$55 per live birth. The assessment on nonparticipating physicians will apply to all physicians licensed in the Commonwealth other than participating physicians; currently, only such physicians practicing in Virginia are required to pay an assessment. The maximum contribution rate required from liability insurance carriers is

increased from 0.25% to 0.4% of net direct premiums written. The size of the board of directors of the Program is increased from seven to nine. Provision is made for covered expenses to cover therapeutic, nursing and attendant care, medications and supplies, and for attendant nursing care that is provided by the claimant's relatives when beyond what is normally provided family members of uninjured children. The measure also (i) removes the prohibition of suing a nonparticipating provider prior to pursuing a claim under the Birth-Related Neurological Injury Compensation Act if the suit is not successful; (ii) authorizes the Program's board of directors to hire outside counsel at its discretion; (iii) provides that the Freedom of Information Act exemption does not prohibit the Workers Compensation Commission from requiring the Program to produce relevant evidence during litigation; (iv) provides that pursuing a claim under Act tolls the statute of limitations for actions that may be brought by the injured infant's personal representative, parents, dependants, or next of kin; (v) expands the types of discovery allowed in litigation under the Act; (vi) requires that only one member of the panel of physicians be from the field of obstetrics; and (vii) requires the Program to pay \$3,000 per claim reviewed to the medical school that performs an assessment.

Status:

02/12/08 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)
02/12/08 House: Communicated to Senate
02/13/08 Senate: Constitutional reading dispensed
02/13/08 Senate: Referred to Committee on Commerce and Labor
02/14/08 House: Impact statement from DPB (HB1305H1)

HB1315 Informed consent for abortion; ultrasound required before performing to determine gestation age.

Chief Patron: Byron

Summary:

Requires that, as a component of informed consent to an abortion and determination of gestation age, every pregnant female shall be given the opportunity to view an ultrasound image of her fetus prior to the abortion.

Status:

02/01/08 House: Read third time and passed House (62-Y 37-N)
02/01/08 House: VOTE: --- PASSAGE (62-Y 37-N)
02/01/08 House: Communicated to Senate
02/04/08 Senate: Constitutional reading dispensed
02/04/08 Senate: Referred to Committee on Education and Health

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

02/12/08 House: Left in Militia, Police and Public Safety

HB1469 Identity theft; notice of database breach.

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:

02/08/08 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

02/08/08 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

02/08/08 House: Communicated to Senate

02/11/08 Senate: Constitutional reading dispensed

02/11/08 Senate: Referred to Committee for Courts of Justice

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: Referred to Committee on Science and Technology

01/24/08 House: Impact statement from DPB (HB1504)

01/29/08 House: Assigned S & T sub: #1

02/04/08 House: Incorporated by Science and Technology (HB1469-Byron)

HB1543 Surgical complications; requires physicians to report.

Chief Patron: Janis

Summary:

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:

02/12/08 House: Read third time and passed House (87-Y 12-N)
02/12/08 House: VOTE: --- PASSAGE (87-Y 12-N)
02/12/08 House: Communicated to Senate
02/13/08 Senate: Constitutional reading dispensed
02/13/08 Senate: Referred to Committee on Education and Health

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:

02/12/08 House: Read third time and passed House (99-Y 0-N)
02/12/08 House: VOTE: --- PASSAGE EMERGENCY (99-Y 0-N)
02/12/08 House: Communicated to Senate
02/13/08 Senate: Constitutional reading dispensed
02/13/08 Senate: Referred to Committee on Finance

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: Referred to Committee on General Laws
01/30/08 House: Impact statement from DPB (HB1554)
02/12/08 House: Left in General Laws

HB1556 Unborn child pain information; requires doctors to offer to anesthetize fetus prior to abortion.

Chief Patron: Cline

Summary:

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:

02/01/08 House: Read third time and passed House (68-Y 31-N)

02/01/08 House: VOTE: --- PASSAGE (68-Y 31-N)

02/01/08 House: Communicated to Senate

02/04/08 Senate: Constitutional reading dispensed

02/04/08 Senate: Referred to Committee on Education and Health

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

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: Referred to Committee on Rules

01/30/08 House: Impact statement from DPB (HB1558)

02/05/08 House: Continued to 2009 in 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
02/12/08 House: Left in 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
02/12/08 House: Left in Rules

HJ91 **Higher educational institutions; joint subcommittee to study ways State may work closer therewith.**

Chief Patron: **Hamilton**

Summary:

Establishes a joint subcommittee to study the partnership of Virginia's public and private institutions of higher education to address the Commonwealth's 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:

02/08/08 House: Agreed to by House (98-Y 0-N)
02/08/08 House: VOTE: --- ADOPTION (98-Y 0-N)
02/08/08 House: Communicated to Senate
02/11/08 Senate: Reading waived
02/11/08 Senate: 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
02/05/08 House: Incorporated by Rules (HJ91-Hamilton)

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:

02/08/08 House: Agreed to by House BLOCK VOTE (98-Y 0-N)
02/08/08 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

02/08/08 House: Communicated to Senate
02/11/08 Senate: Reading waived
02/11/08 Senate: 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
02/12/08 House: Left in Rules

HJ234 **Commending Jeanette Lancaster.**

Chief Patron: Toscano

Summary:

Commending Jeanette Lancaster.

Status:

01/18/08 House: Agreed to by House by voice vote
01/18/08 House: Communicated to Senate
01/21/08 Senate: Received
01/21/08 Senate: Laid on Clerk's Desk
01/24/08 Senate: Agreed to by Senate by voice vote

HJ247 **International education; recognizing importance in higher educational institutions.**

Companion Bill: SJ130

Chief Patron: Tata

Summary:

Recognizes the importance of international education in higher education in Virginia.

Status:

01/18/08 House: Presented and ordered printed 088836748
01/18/08 House: Referred to Committee on Rules
02/12/08 House: Left in Rules

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:

01/10/08 Senate: Assigned Courts sub: Civil
01/29/08 Senate: Impact statement from DPB (SB17)
01/30/08 Senate: Reported from Courts of Justice (13-Y 1-N)
01/30/08 Senate: Rereferred to Finance
02/05/08 Senate: Continued to 2009 in Finance (13-Y 1-N)

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
01/23/08 Senate: Assigned Education sub: Special on Proposed Mental Health Legislation
01/31/08 Senate: Left in Education and Health (15-Y 0-N)

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:

02/05/08 Senate: Floor substitute printed 080284216-S4 (Cuccinelli)

02/05/08 Senate: Reading of substitute waived

02/05/08 Senate: Motion to recommit to committee agreed to

02/05/08 Senate: Recommitted to Courts of Justice

02/13/08 Senate: Left in Courts of Justice

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:

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

01/21/08 Senate: Rereferred from Commerce and Labor (15-Y 0-N)

01/21/08 Senate: Rereferred to Courts of Justice

01/28/08 Senate: Assigned Courts sub: Special on Immigration

01/30/08 Senate: Passed by indefinitely in Courts of Justice (13-Y 2-N)

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

Chief Patron: Edwards

Summary:

Establishes the Dependent Children of University and College Faculty Tuition Grant Program, to provide a tuition grant equal to 50% of the charge for tuition 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 grants shall be used for undergraduate education at any public institution of higher education in Virginia.

Status:

02/04/08 Senate: Communicated to House

02/12/08 House: Placed on Calendar

02/12/08 House: Read first time
02/12/08 House: Referred to Committee on Appropriations
02/15/08 Senate: Impact statement from DPB (SB126S1)

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
01/21/08 Senate: Impact statement from VRS (SB127)
02/13/08 Senate: Left in 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
01/24/08 Senate: Impact statement from VRS (SB128)
02/13/08 Senate: Left in 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

01/21/08 Senate: Assigned Courts sub: Special on Proposed Mental Health Legislation

01/24/08 Senate: Impact statement from DPB (SB129)

01/28/08 Senate: Incorporated by Courts of Justice (SB246-Howell) (13-Y 0-N)

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:

02/11/08 Senate: Printed as engrossed 088093244-E

02/12/08 House: Placed on Calendar

02/12/08 House: Read first time

02/12/08 House: Referred to Committee on General Laws

02/13/08 House: Assigned GL sub: FOIA

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:

02/11/08 Senate: Communicated to House
02/12/08 House: Placed on Calendar
02/12/08 House: Read first time
02/12/08 House: Referred to Committee on General Laws
02/13/08 House: Assigned GL sub: FOIA

SB211 Birth-Related Neurological Injury Compensation Program; increases annual assessment for physicians.

Companion Bill: HB1305

Chief Patron: Edwards

Summary:

Increases the annual assessment for physicians who participate in the Virginia Birth-Related Neurological Injury Compensation Program from its current level of \$5,300 to \$5,600, which amount will increase thereafter to a maximum of \$6,200. The annual participating hospital assessment will increase from \$50 per live birth to \$52.50 per live birth in 2008, which amount will increase each year thereafter by \$2.50 per live birth to a maximum of \$55 per live birth. The assessment on nonparticipating physicians will apply to all physicians licensed in the Commonwealth other than participating physicians; currently, only such physicians practicing in Virginia are required to pay an assessment. The maximum contribution rate required from liability insurance carriers is increased from 0.25% to 0.4% of net direct premiums written. The size of the board of directors of the Program is increased from seven to nine. Provision is made for covered expenses to cover therapeutic, nursing and attendant care, medications and supplies, and for attendant nursing care that is provided by the claimant's relatives when beyond what is normally provided family members of uninjured children. The measure also (i) removes the prohibition of suing a nonparticipating provider prior to pursuing a claim under the Birth-Related Neurological Injury Compensation Act if the suit is not successful; (ii) authorizes the Program's board of directors to hire outside counsel at its discretion; (iii) provides that the Freedom of Information Act exemption does not prohibit the Workers Compensation Commission from requiring the Program to produce relevant evidence during litigation; (iv) provides that pursuing a claim under Act tolls the statute of limitations for actions that may be brought by the injured infant's personal representative, parents, dependants, or next of kin; (v) expands the types of discovery allowed in litigation under the Act; (vi) requires that only one member of the panel of physicians be from the field of obstetrics; and (vii) requires the Program to pay \$3,000 per claim reviewed to the medical school that performs an assessment.

Status:

02/12/08 Senate: Communicated to House
02/13/08 House: Placed on Calendar
02/13/08 House: Read first time
02/13/08 House: Referred to Committee on Commerce and Labor
02/14/08 Senate: Impact statement from DPB (SB211S1)

SB307 Identity theft; notice of database breach.

Companion Bill: HB1052

Chief Patron: Reynolds

Summary:

Requires that an individual or a commercial entity that conducts business in Virginia and that owns or licenses data that includes personal information about a resident of Virginia shall, when it becomes aware of a breach of the security of the system, (i) conduct in good faith a reasonable and prompt investigation to determine the likelihood that personal information has been or will be misused and (ii) notify the Office of the Attorney General that a breach has occurred. A breach of the security of the system is defined as the unauthorized acquisition and access of unencrypted or unredacted data that compromises the security, confidentiality, or integrity of personal information maintained by an individual or a commercial entity. Types of notification meeting the requirements of this bill are listed, but not required if, after a reasonable investigation, the person or commercial entity determines that there is no reasonable likelihood of harm to affected Virginia residents. The Attorney General may bring an action in law to address violations and ensure proper compliance with this section. Nothing in this section shall limit an individual from recovering direct economic damages resulting from a violation of this section.

Status:

02/11/08 Senate: Communicated to House

02/12/08 House: Placed on Calendar

02/12/08 House: Read first time

02/12/08 House: Referred to Committee on Science and Technology

02/12/08 Senate: Impact statement from DPB (SB307S1)

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

01/22/08 Senate: Failed to report (defeated) in Local Government (4-Y 11-N)

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:

01/28/08 Senate: Communicated to House
02/04/08 Senate: Impact statement from DPB (SB344E)
02/12/08 House: Placed on Calendar
02/12/08 House: Read first time
02/12/08 House: Referred to Committee on Health, Welfare and Institutions

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)

SB358 Virginia Commonwealth University; management agreement with State.

Companion Bill: HB1124

Chief Patron: Watkins

Summary:

Provides a management agreement between the Commonwealth of Virginia and Virginia Commonwealth University pursuant to the Restructured Higher Education Financial and Administrative Operations Act.

Status:

02/08/08 Senate: Communicated to House
02/13/08 House: Placed on Calendar
02/13/08 House: Read first time
02/13/08 House: Referred to Committee on Appropriations
02/15/08 Senate: Impact statement from DPB (SB358E)

SB426 Public Procurement Act; verification of legal presence of contractors for 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:

01/22/08 Senate: Impact statement from DPB (SB426)
01/23/08 Senate: Rereferred from General Laws and Technology (15-Y 0-N)
01/23/08 Senate: Rereferred to Courts of Justice
01/28/08 Senate: Assigned Courts sub: Special on Immigration
01/30/08 Senate: Passed by indefinitely in Courts of Justice (15-Y 0-N)

SB447 Green Buildings Act; Department of General Services determines when project qualifies for exemption.

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:

02/05/08 Senate: Communicated to House
02/12/08 House: Placed on Calendar
02/12/08 House: Read first time
02/12/08 House: Referred to Committee on General Laws
02/13/08 House: Assigned GL sub: FOIA

SB503 Emergency Medical Services, Department of; established.

Chief Patron: Northam

Summary:

Establishes the Department of Emergency Medical Services to replace the current Office of Emergency Medical Services and places the new Department under the Secretary of Public Safety.

Status:

01/09/08 Senate: Prefiled and ordered printed; offered 01/09/08 080732286

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

01/16/08 Senate: Stricken at request of Patron in General Laws and Technology (14-Y 0-N)

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

01/24/08 Senate: Impact statement from DPB (SB516)

01/28/08 Senate: Assigned Courts sub: Special on Immigration

01/30/08 Senate: Stricken at the request of Patron in Courts of Justice (14-Y 0-N)

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:

02/08/08 Senate: Communicated to House

02/13/08 House: Placed on Calendar

02/13/08 House: Read first time

02/13/08 House: Referred to Committee on Militia, Police and Public Safety

02/15/08 Senate: Impact statement from DPB (SB538E)

SB539 Higher educational institutions; board of visitors, etc. to establish violence prevention committee.

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:

02/05/08 Senate: Communicated to House

02/12/08 House: Placed on Calendar

02/12/08 House: Read first time

02/12/08 House: Referred to Committee on Militia, Police and Public Safety

02/15/08 Senate: Impact statement from DPB (SB539S1)

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

01/23/08 Senate: Continued to 2009 in General Laws and Technology (15-Y 0-N)

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:

01/22/08 Senate: Read third time and passed Senate (38-Y 0-N)

01/22/08 Senate: Communicated to House

02/11/08 House: Placed on Calendar

02/11/08 House: Read first time

02/11/08 House: Referred to Committee on Education

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)

02/13/08 Senate: Stricken at request of Patron in Finance (16-Y 0-N)

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

Chief Patron: Cuccinelli

Summary:

Summary as introduced:

Students' high school records.

Status:

02/05/08 Senate: Communicated to House

02/12/08 House: Placed on Calendar

02/12/08 House: Read first time

02/12/08 House: Referred to Committee on Education

02/15/08 Senate: Impact statement from DPB (SB636S1)

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

01/30/08 Senate: Impact statement from DPB (SB705)

02/13/08 Senate: Continued to 2009 in Finance (16-Y 0-N)

SB745 **Verification, legal presence; public schools and higher education.**

Chief Patron: **Hanger**

Summary:

Requires all public schools to verify each child's legal presence, and, if appropriate, to develop a plan to assist the child in attaining legal presence, or to take other appropriate action as determined by the locality. Specifies that no child shall be denied admission to a public school for failure to provide evidence of legal presence. Also requires public institutions of higher education to require proof of legal presence prior to enrollment.

Status:

01/18/08 Senate: Presented and ordered printed 088900232
01/18/08 Senate: Referred to Committee on Education and Health
01/23/08 Senate: Assigned Education sub: Higher Education
01/29/08 Senate: Impact statement from DPB (SB745)
01/31/08 Senate: Passed by indefinitely in Education and Health (12-Y 3-N)

SB762 **Abortion; forced or coerced prohibited, penalty.**

Chief Patron: **Smith**

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:

01/18/08 Senate: Unanimous consent to introduce
01/18/08 Senate: Presented and ordered printed 084785326
01/18/08 Senate: Referred to Committee on Education and Health
01/22/08 Senate: Impact statement from VCSC (SB762)
02/07/08 Senate: Passed by indefinitely in Education and Health (10-Y 5-N)

SB781 **Higher educational institutions; enrollment of aliens.**

Chief Patron: **Vogel**

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:

01/18/08 Senate: Presented and ordered printed 089864338
01/18/08 Senate: Referred to Committee on Education and Health
01/30/08 Senate: Impact statement from DPB (SB781)
01/31/08 Senate: Passed by indefinitely in Education and Health (14-Y 1-N)

SB795 **College Building Authority; certain projects financed thereby.**

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. The bill also authorizes the issuance of bonds under the Virginia Public Building Authority in a principal amount not to exceed \$493,420,000, and under the Virginia College Building Authority with the principal amount of bonds issued for all such projects not to exceed \$187,928,000.

Status:

02/14/08 Senate: Engrossed by Senate - committee substitute SB795S1
02/15/08 Senate: Read third time and passed Senate (22-Y 18-N)
02/15/08 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N)
02/15/08 Senate: Passed Senate (22-Y 18-N)
02/15/08 Senate: Communicated to House

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:

01/30/08 House: Assigned P & E sub: Appointments
02/05/08 House: Reported from Privileges and Elections (22-Y 0-N)
02/08/08 House: Taken up
02/08/08 House: Agreed to by House (98-Y 0-N)
02/08/08 House: VOTE: --- ADOPTION (98-Y 0-N)

SJ130 International education; recognizing importance in higher educational institutions.

Companion Bill: HJ247

Chief Patron: Quayle

Summary:

Recognizes the importance of international education in higher education in Virginia.

Status:

02/12/08 Senate: Reading waived (40-Y 0-N)
02/12/08 Senate: Agreed to by Senate by voice vote
02/12/08 Senate: Communicated to House
02/14/08 House: Placed on Calendar
02/14/08 House: Referred to Committee on Rules

SJ175 Commending the Emily Couric Clinical Cancer Center.

Chief Patron: Deeds

Summary:

Commending the Emily Couric Clinical Cancer Center.

Status:

02/07/08 Senate: Laid on Clerk's Desk

02/14/08 Senate: Introduced bill reprinted 089033220

02/14/08 Senate: Engrossed by Senate

02/14/08 Senate: Agreed to by Senate by voice vote

02/14/08 Senate: Communicated to House