

Legislative Report
University of Virginia -- Office of State Governmental Relations
January 17, 2011

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HB1419 Human papillomavirus vaccination; eliminates requirement of vaccination for female children.

Chief Patron: Byron

Summary:

Eliminates the requirement for vaccination against human papillomavirus for female children.

Status:

10/21/10 House: Prefiled and ordered printed; offered 01/12/11 11100500D

10/21/10 House: Referred to Committee on Health, Welfare and Institutions

01/12/11 House: Assigned HWI sub: #1

HB1436 Automatic dialing-announcing devices; debt collections.

Chief Patron: Loupassi

Summary:

Prohibits a caller from using an automatic dialing-announcing device to make a debt collection communication to a subscriber unless the communication is immediately preceded by a live operator who discloses to the subscriber information about the debt and the purpose of the call, and the subscriber consents to receipt of the communication. In addition, the subscriber shall be provided the opportunity to converse with a live operator in order to notify the caller that the debt is disputed, to request that the caller not make further debt collection communications, or to obtain the name and mailing address of the original creditor. Callers are further prohibited from using an automatic dialing-announcing device to make a debt collection communication (i) to a subscriber within 30 days after being requested by the subscriber not to make such communications and (ii) in a manner that causes the subscriber's telephone to ring repeatedly or continuously with intent to annoy, abuse, or harass.

Status:

11/08/10 House: Prefiled and ordered printed; offered 01/12/11 11100010D

11/08/10 House: Referred to Committee on Commerce and Labor

HB1440 Unborn children; construing the word 'person' under Virginia law to include.

Chief Patron: Marshall, R.G.

Status:

11/10/10 House: Prefiled and ordered printed; offered 01/12/11 11100880D

11/10/10 House: Referred to Committee for Courts of Justice

HB1457 Freedom of Information Act; violations and penalties.

Chief Patron: Marshall, R.G.

Summary:

Provides that public employees may be terminated or otherwise disciplined for knowing and willful violations of FOIA. The bill also clarifies existing law that officers, employees, and members of public bodies may be subject to civil penalties for knowing and willful violations of FOIA.

Status:

11/29/10 House: Prefiled and ordered printed; offered 01/12/11 11100174D

11/29/10 House: Referred to Committee on General Laws
01/12/11 House: Assigned GL sub: #2 FOIA/Procurement
01/14/11 House: Impact statement from DPB (HB1457)

HB1465 Higher educational institutions; admission of illegal aliens.

Chief Patron: Peace

Summary:

Admission of illegal aliens at institutions of higher education.

Status:

12/06/10 House: Prefiled and ordered printed; offered 01/12/11 11102474D
12/06/10 House: Referred to Committee for Courts of Justice

HB1475 Workers' compensation; presumption that injury arises out of employment.

Companion Bill: SB823

Chief Patron: Ware, O.

Summary:

Creates a presumption that a workplace injury results from an accident arising out of employment for purposes of the Workers' Compensation Act if the employee is found dead or to have incurred a brain injury resulting from external mechanical force that impairs the employee's brain function to such an extent that the employee is incapable of recalling the relevant circumstances of the accident. A judicially created presumption currently exists when an employee is found dead as the result of an accident at his place of work and there is no evidence offered to show what caused the death or to show that he was not engaged in his employer's business at the time.

Status:

12/09/10 House: Prefiled and ordered printed; offered 01/12/11 11101588D
12/09/10 House: Referred to Committee on Commerce and Labor
01/13/11 House: Assigned C & L sub: #1

HB1498 Plastic bags; use by retailers.

Chief Patron: Ware, O.

Summary:

Bans the use of plastic carryout bags by retailers at the point of sale unless such bags are (i) durable plastic bags with handles, (ii) at least 2.25 mils thick, and (iii) specifically designed and manufactured for multiple reuse.

Status:

12/16/10 House: Prefiled and ordered printed; offered 01/12/11 11101590D
12/16/10 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

HB1499 Unlawful detainer, etc.; storage of tenant's property.

Chief Patron: Ware, O.

Summary:

Provides that when the personal property of a tenant is removed from a premises pursuant to an unlawful detainer,

ejection, or any other action, the property shall be placed in a storage area designated by the landlord. Currently, such property may be placed in such a storage area or in the public way.

Status:

12/16/10 House: Prefiled and ordered printed; offered 01/12/11 11101594D

12/16/10 House: Referred to Committee for Courts of Justice

01/10/11 House: Assigned Courts sub: #2 Civil

01/12/11 House: Subcommittee failed to recommend reporting (4-Y 7-N)

HB1509 Employment; prohibits discrimination based on sexual orientation.

Chief Patron: Scott, J.M.

Summary:

Prohibits discrimination in employment based on sexual orientation.

Status:

12/17/10 House: Prefiled and ordered printed; offered 01/12/11 11100590D

12/17/10 House: Referred to Committee on General Laws

01/14/11 House: Impact statement from DPB (HB1509)

HB1559 Audiologists; exempted from obtaining license to engage in practice of fitting, etc. hearing aids.

Chief Patron: Scott, E.T.

Summary:

Exempts audiologists licensed to practice in Virginia from the examination requirement for issuance of a license to engage in the practice of fitting or dealing in hearing aids.

Status:

01/04/11 House: Prefiled and ordered printed; offered 01/12/11 11100897D

01/04/11 House: Referred to Committee on Health, Welfare and Institutions

01/13/11 House: Impact statement (HB1559)

HB1566 House and Senate voting records; publication on legislative electronic information system.

Chief Patron: LeMunyon

Summary:

Provides that, beginning with the 2012 Regular Session of the General Assembly, the Legislative Support Commission, through the Division of Legislative Automated Systems, from information and data provided by the Clerk of the House and the Clerk of the Senate, must post on the legislative electronic information system (LIS) the recorded committee, subcommittee, and floor votes of each member of the General Assembly on legislation acted upon in each house. The information pertaining to the voting records of legislative members must be electronically accessible to state agencies, political subdivisions, and the public.

Status:

01/05/11 House: Prefiled and ordered printed; offered 01/12/11 11101248D

01/05/11 House: Referred to Committee on Rules

HB1572 ROTC cadets, certain; cadet attending any higher educational institution shall pay in-state tuition.

Chief Patron: Cleaveland

Summary:

Provides that any enrolled cadet in good standing in any Reserve Officers Training Corps (ROTC) unit or any current member of a Reserve Component of the United States Armed Forces attending any public institution of higher education shall pay tuition in an amount no more than the institution's in-state tuition rate.

Status:

01/05/11 House: Prefiled and ordered printed; offered 01/12/11 11100665D

01/05/11 House: Referred to Committee on Education

01/14/11 House: Assigned Education sub: #4 Higher Education and Arts

HB1573 Castle doctrine; encodes version allowing use of deadly force, etc. against an intruder in dwelling.

Companion Bill: SB876

Chief Patron: Cleaveland

Summary:

Encodes a version of the "castle doctrine," allowing the use of physical force, including deadly force, against an intruder in his dwelling who has committed an overt act against him, without civil liability.

Status:

01/05/11 House: Prefiled and ordered printed; offered 01/12/11 11101224D

01/05/11 House: Referred to Committee for Courts of Justice

01/12/11 House: Assigned Courts sub: #1 Criminal

HB1639 Virginia Nanotechnology Authority; established, report.

Chief Patron: Purkey

Summary:

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

Status:

01/10/11 House: Prefiled and ordered printed; offered 01/12/11 11102019D

01/10/11 House: Referred to Committee on Science and Technology

HB1655 Retirement System; early retirement for certain employees.

Chief Patron: Purkey

Summary:

Removes the option for state employees hired on or after July 1, 2010, who are covered under the main defined benefit plan, (i.e., excluding the separate plans for law-enforcement employees and judges), to retire if they are less than 65 years old. Under current law such employees can retire at the age of 60 with at least five years of service, with reduced benefits, or, in certain instances when the sum of their age and years of service is equal to or greater than 90, with unreduced benefits.

Status:

01/10/11 House: Prefiled and ordered printed; offered 01/12/11 11102050D

01/10/11 House: Referred to Committee on Appropriations

01/13/11 House: Assigned App. sub: Compensation and Retirement

HB1658 Public-Private Education Facilities and Infrastructure Act of 2002; legislative review.

Chief Patron: Purkey

Summary:

Requires responsible public entities that are state agencies to obtain approval from the General Assembly before accepting any proposal initiated by a private entity that includes a facility, building, infrastructure, or asset with a potential market value of \$10 million or more

Status:

01/10/11 House: Prefiled and ordered printed; offered 01/12/11 11101718D

01/10/11 House: Referred to Committee on General Laws

01/14/11 House: Assigned GL sub: #2 FOIA/Procurement

HB1671 Public procurement; includes person with disability-owned businesses in provisions.

Chief Patron: Pogge

Summary:

Includes person with a disability-owned business in the public procurement provisions for small, women-owned, and minority-owned businesses. The bill defines "person with a disability-owned business" and "disability." The bill contains technical amendments.

Status:

01/10/11 House: Prefiled and ordered printed; offered 01/12/11 11101017D

01/10/11 House: Referred to Committee on General Laws

01/14/11 House: Assigned GL sub: #2 FOIA/Procurement

HB1681 State agencies; those submitting budget request to utilize zero-based budgeting methodology.

Chief Patron: Bell, Richard P.

Summary:

Whenever a state agency which receives General Fund revenue requests the Governor or his designee for funding to be included in the Governor's next Executive Budget, the state agency shall submit its budget request utilizing a zero-based budgeting methodology.

Status:

01/10/11 House: Prefiled and ordered printed; offered 01/12/11 11100341D

01/10/11 House: Referred to Committee on Appropriations

01/13/11 House: Assigned App. sub: Technology Oversight and Government Activities

HB1722 Freedom of Information Act; designation of records, penalties for certain violations.

Chief Patron: Marshall, R.G.

Summary:

Requires that at the time of creation of any public record, the custodian of such records that are subject to FOIA shall designate whether the record is subject to FOIA's mandatory disclosure provisions or otherwise exempt from disclosure. The bill requires that such designation shall appear on the face of the record and be updated by the custodian in a timely manner in the event of any changes. Failure to make the required designation shall, upon receipt of a request for such record, waive any charge authorized under FOIA. The bill also provides that in addition to the civil penalty under FOIA, a public employee found to have committed a willful and knowing violation of FOIA may be subject to other disciplinary action, including suspension, demotion, or termination of public employment. The bill contains technical amendments.

Status:

01/10/11 House: Prefiled and ordered printed; offered 01/12/11 11100801D

01/10/11 House: Referred to Committee on General Laws

01/14/11 House: Assigned GL sub: #2 FOIA/Procurement

HB1727 Virginia Fair Employment Act; certain public contractors, etc., to enroll in E-Verify Program.

Chief Patron: Carrico

Summary:

Requires public contractors, employers with 15 or more employees within the Commonwealth, and localities to enroll in the E-Verify Program by December 1, 2011, and to use the Program for each newly hired employee who is to perform work within the Commonwealth. Employers and contractors that fail to do so are subject to suspension or revocation of certain licenses and invalidation of public contracts. Licenses will be reinstated when an employer or contractor enrolls in the Program or, if already enrolled but not using the Program, prepares and implements a compliance plan.

Status:

01/10/11 House: Prefiled and ordered printed; offered 01/12/11 11100463D

01/10/11 House: Referred to Committee for Courts of Justice

HB1751 Lawn fertilizers; prohibits applications of those containing phosphorus for use on lawns, etc.

Chief Patron: Plum

Summary:

Prohibits the application of fertilizers that contain phosphorus for use on lawns, golf courses, parks, and cemeteries. The prohibition does not apply to fertilizer products primarily intended for gardening, trees, shrubs, or indoor plants. The bill prohibits the application of fertilizer that contains phosphorus when the ground is frozen. Any fertilizer that

runs onto impervious surfaces has to be immediately contained and collected. New lawns or lawns that have had soil tests in the last three years showing phosphorus levels are deficit based upon Department of Conservation and Recreation's nutrient management standards and criteria can use fertilizers that contain phosphorus. Beginning January 1, 2012, no person can display for sale lawn fertilizer that is labeled as containing phosphorus; however, such products can be stored off the sales floor and may be sold upon request. Also beginning on this date, a business selling fertilizers has to provide signage that informs the public of the new law and noting the effects of phosphorus on state waters. Any person who violates provisions of the new law may be assessed a civil penalty by the Department of Conservation and Recreation of up to \$250. The moneys collected will be deposited in the Water Quality Improvement Fund.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11101033D

01/11/11 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

HB1817 Green Public Buildings Act; definitions, building standards.

Companion Bill: SB832

Chief Patron: Hope

Summary:

Requires public bodies entering the design phase for construction of a new building greater than 5,000 gross square feet in size, or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building, to build to either the LEED Silver or Green Globes two globe standard. The buildings shall be designed, constructed, verified, and operated to achieve energy savings that exceed the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 90.1-2004 (Energy Standard for Buildings Except Low-Rise Residential Buildings) by at least 15 percent for new construction and 10 percent for major renovation. In addition, water systems designed for such buildings shall be required to provide water use savings of at least 25 percent over the baseline standard established in the federal Energy Policy Act of 1992. Exemptions from the requirement may be granted by the Director of the Department of General Services for state construction projects or by the governing body of a locality or school board for local projects.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11100580D

01/11/11 House: Referred to Committee on General Laws

HB1831 Fertilizer; regulation of application and labeling.

Chief Patron: Scott, E.T.

Summary:

Regulates several aspects relating to the application and use of fertilizer to lawns and turfs, including rules against applying fertilizers containing phosphorus or applying fertilizer when the ground is frozen, and the inclusion of a cautionary label on application and use. The prohibitions do not apply if: (i) the turf area is newly established or under repair; (ii) recent soil tests indicate the need for phosphorus fertilizer; (iii) the turf area is a golf course that has implemented a nutrient management plan; (iv) the area is a garden or greenhouse; or (v) the product being used is manipulated manure or yard waste compost. The bill also prohibits localities from regulating the use or application of fertilizers outside of any authority granted by the Stormwater Management Act. The Department of Conservation and Recreation is required to adopt regulations and operate a voluntary nutrient management training program to enable

landowners and operators to prepare nutrient management plans for their own property. Golf course owners are specifically required to develop and implement nutrient management plans.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11103440D

01/11/11 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

HB1848 Tuition, in-state; eligibility for Virginia domicile of a spouse of a military service member.

Chief Patron: Stolle

Summary:

Ensures that the established Virginia domicile of a spouse of an active duty military service member, and therefore in-state tuition eligibility, must not be affected by the establishment and maintenance of a place of residence in another jurisdiction for the purpose of maintaining a joint household with such member. The bill also provides that the spouse of an active duty military service member, if such spouse has established domicile and claimed a dependent student on federal or state income tax returns, must not be subject to minimum income tests or requirements.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11103649D

01/11/11 House: Referred to Committee on Education

HB1861 Tuition, in state; authorizes certain veterans to be eligible.

Companion Bill: SB824

Chief Patron: Anderson

Summary:

Authorizes certain veterans who elect to establish Virginia as their permanent residence for domiciliary purposes to establish immediate residency in Virginia and become eligible for in-state tuition, rather than waiting the required one year period.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11103080D

01/11/11 House: Referred to Committee on Education

HB1869 General Assembly; reports to accompany general appropriation bills.

Companion Bill: SB1353

Chief Patron: Toscano

Summary:

Requires the Chairman of the House Appropriations Committee and the Chairman of the Senate Finance Committee to issue reports concurrently with the budget conference report that specifically identify (i) any nonstate appropriation, (ii) any item in the conference report that was not included in a general appropriation bill as passed by either the House or the Senate, and (iii) any item that represents legislation that failed in either house during the regular or a special session.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11101492D

01/11/11 House: Referred to Committee on Appropriations

HB1910 Cambridge College Programme; course credit.

Chief Patron: Miller, J.H.

Summary:

Requires the governing boards of each public institution of higher education to implement policies regarding the granting of credit for Cambridge College Programme courses. The bill also provides that each institution's policy for course credit for Cambridge College Programme courses must be comparable to its policies for granting course credit for Advanced Placement courses.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11101842D

01/11/11 House: Referred to Committee on Education

HB2002 Tuition, out-of-state; boards of visitors to set charges based on competitive market rates.

Chief Patron: LeMunyon

Summary:

Requires the boards of visitors of every public institution of higher education in the Commonwealth to set tuition and fee charges at levels they deem to be appropriate for all nonresident student groups based on, but not limited to, competitive market rates, provided that the tuition and mandatory educational and general fee rates for nonresident undergraduate students are at least 100 percent of the average cost of their education. The determination of competitive market rates shall consider tuition and fees charged at comparable private and public institutions of higher education within the Commonwealth or in another state, totaling at least five, which are most similar to the public institution of higher education with respect to total undergraduate enrollment, undergraduate student body academic qualifications, and to which a significant number of students of the institution of higher education also applied. Additionally, at the time that undergraduate tuition is determined by each board of visitors, the board of visitors must include in its meeting records the tuition rates at comparable private institutions and any other factors used in establishing the undergraduate tuition and fees.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11100152D

01/11/11 House: Referred to Committee on Education

HB2039 Procurement by public bodies; use of certain contracting processes.

Chief Patron: Cox, J.A.

Summary:

Limits the use of the construction management at-risk method for building construction to projects with a total value of \$25 million or more. The bill also amends the definition of "qualifying project" in the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.) to require that the project be totally supported by private funds.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11103524D

01/11/11 House: Referred to Committee on General Laws

HB2047 Virginia Waterways Clean Up and Consumer Choice Act; paper and plastic bag fee.

Chief Patron: Ebbin

Summary:

Imposes a fee of \$0.05 on paper and plastic bags used by purchasers to carry tangible personal property from the place of purchase. Durable, reusable plastic bags and bags used for ice cream, meat, fish, poultry, leftover restaurant food, newspapers, dry cleaning and prescription drugs are exempt from the fee. Retailers are allowed to retain \$0.01 of the \$0.05 fee or \$0.02 if the retailer has a customer bag credit program. The revenues raised by the fee will be deposited in the Virginia Water Quality Improvement Fund. Failure to collect and remit the fee will result in fines of \$250, \$500, and \$1,000 for the first, second, third and thereafter offenses.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11100789D

01/11/11 House: Referred to Committee on Finance

HB2053 Higher educational institutions; board of visitors set rules so 75% enrolled be Virginia domiciles.

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 percent of students admitted and enrolled at the institution be Virginia domiciles.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11100984D

01/11/11 House: Referred to Committee on Education

HB2063 Protective orders; availability; penalty.

Chief Patron: Bell, Robert B.

Summary:

Renames "protective orders for stalking" as "protective orders" and expands the class of persons who is eligible to obtain a protective order to include persons who have been subjected to assault or any conduct that creates a reasonable fear of death or where a warrant or petition for arrest for such conduct has been issued. The bill also authorizes a law-enforcement officer to request an extension of an emergency protective order, not to exceed three days, for a person in need of protection who is physically or mentally incapable of filing a petition for a preliminary or permanent protective order. The bill also makes the penalties for violating a protective order consistent with the penalties for violating a family abuse protective order: (i) any person convicted of a second violation of a protective order, when the offense is committed within five years of a conviction for a prior offense and when either the instant or prior offense was based on an act or threat of violence, shall be sentenced to a mandatory minimum term of confinement of 60 days; (ii) any person convicted of a third or subsequent offense, when such offense is committed within 20 years of the first conviction and when either the instant or any of the prior offenses was based on an act or threat of violence, is guilty of a Class 6 felony and punishment shall include a mandatory minimum term of confinement of six months; (iii) any person who commits an assault and battery resulting in serious bodily injury upon

a person protected by a protective order is guilty of a Class 6 felony; and (iv) any person who violates a protective order by furtively entering the home of the protected party while such party is present or enters and remains in such home until the protected party arrives is guilty of a Class 6 felony. The bill also provides that any person convicted of violating a protective order for which no mandatory minimum sentence is specified shall be sentenced to a term of confinement and shall not have his entire sentence suspended.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11102344D

01/11/11 House: Referred to Committee for Courts of Justice

01/12/11 House: Impact statement (HB2063)

HB2076 Office of the Inspector General.

Chief Patron: Landes

Summary:

Establishes the Office of the Inspector General 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 state agency or public officers and employees, including allegations of criminal acts affecting the operation of state agencies. 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. The bill consolidates the offices of inspector general of the Departments of Behavioral Health and Developmental Services, Corrections, Juvenile Justice, and Transportation into this new office. The bill contains technical amendments.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11100107D

01/12/11 House: Referred to Committee on General Laws

HB2091 Uniform Statewide Building Code; air conditioning in certain residential buildings.

Chief Patron: Herring

Summary:

Designates May 1 as the date when cooling must be supplied in dwelling units, rooming units, or dormitory or guest rooms that are leased and include provision for cooling.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11100763D

01/12/11 House: Referred to Committee on General Laws

HB2097 Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers, etc.

Chief Patron: Jones

Summary:

Provides that the Board shall, by regulation, require each architect or professional engineer to maintain an errors and omissions policy that is acceptable to the Board and to provide a certification or attestation that such policy is in effect as a prerequisite to license issuance or renewal.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11102192D

01/12/11 House: Referred to Committee on General Laws

HB2101 Landlord enforcement of tenant violations; localities with four-year institutions of higher learning.

Chief Patron: Bulova

Summary:

Affords localities located where there are four-year institutions of higher learning the option of adopting an ordinance to hold landlords responsible for tenants who continually violate sections of the Code dealing with drinking in public, urinating in public and profanity. The landlord will receive prompt notice when the tenant is convicted and if the tenant is convicted three times within a one-year period, and the landlord does not take curative steps, he is then fined. The bill provides localities the proper tools to ensure indifferent landlords take measures in situations where tenants are disruptive to neighborhood stability. This bill was endorsed by the Virginia Housing Commission.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11101973D

01/12/11 House: Referred to Committee on Counties, Cities and Towns

HB2140 University of Virginia; management agreement.

Companion Bill: SB1110

Chief Patron: Johnson

Summary:

Clarifies that the University of Virginia is authorized to make full use of the additional financial and operational authority granted to it in its management agreement in providing assistance to the Southwest Virginia Higher Education Center.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11101339D

01/12/11 House: Referred to Committee on Education

HB2153 Tuition, in-state; unlawfully present aliens in U.S. shall not be eligible.

Chief Patron: Cline

Summary:

Provides that an alien who is unlawfully present in the United States shall not be eligible on the basis of residency within Virginia for any postsecondary educational benefit including, but not limited to, in-state tuition and state financial aid unless citizens or nationals of the United States are eligible for such benefits in no less an amount, duration, and scope, without regard to whether such citizens or nationals are Virginia residents.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11103023D

01/12/11 House: Referred to Committee for Courts of Justice

HB2196 Government Transparency Act.

Chief Patron: Comstock

Summary:

Establishes a searchable database website that would allow persons to search and aggregate information including but not limited to (i) individual or specific appropriations or budget items, (ii) state agency spending and procurement data, (iii) financial disclosure statements, (iv) audit and state agency performance reports, and (v) contact information for public records access purposes. Under the bill, the searchable database website will be developed and maintained by the Department of Planning and Budget and is required to be operational by July 1, 2012. When fully operational, all data in the database would be maintained for a minimum of 10 years. The bill requires the Department to work with the Auditor of Public Accounts and the Joint Legislative Audit and Review Commission to avoid duplication of effort. The bill also establishes the Government Transparency Advisory Council to advise the Department on the practical usability of the website, considering all intended end users.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11103690D

01/12/11 House: Referred to Committee on General Laws

HB2201 Department of Planning and Budget; payroll services.

Chief Patron: Comstock

Summary:

Provides that the Department of Planning and Budget, in consultation with the Department of Accounts, shall require all agencies of the Commonwealth to participate to the fullest extent feasible in the Payroll Service Bureau operated by the Department of Accounts. Any agency identified by the Department of Planning and Budget not participating in the Payroll Service Bureau as of July 1, 2011, may be exempted from such participation if it can demonstrate to the satisfaction of the Department of Planning and Budget that participation is not feasible or fiscally advantageous.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11101798D

01/12/11 House: Referred to Committee on General Laws

HB2246 Tuition, in-state; certain civilian employees of Department of Defense employees shall pay.

Chief Patron: Torian

Summary:

Provides that any civilian employees of the Department of Defense who are realigned to Virginia as a result of Base Realignment and Closure, and their dependents, shall pay the in-state tuition rate at the public institution of higher education in which they are enrolled.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11102242D

01/12/11 House: Referred to Committee on Education

HB2262 Green Public Buildings Act.

Chief Patron: Morgan

Summary:

Requires public bodies entering the design phase for construction of a new building greater than 5,000 gross square feet in size or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building to build to either U.S. Green Building Council Leadership in Energy and Environmental Design green building rating standard (LEED) Silver or Green Globes two globe standards. Exemptions from the requirement may be granted by the Director of the Department of General Services for state construction projects or the governing body of a locality or school board for local projects. The bill has a delayed implementation date of July 1, 2012, for local public bodies and school boards.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11101905D

01/12/11 House: Referred to Committee on General Laws

HB2277 Compensation paid to citizen members of state boards, commissions, and other collegial bodies.

Chief Patron: Keam

Summary:

Provides that citizen members of boards, commissions, committees, councils, or other collegial bodies, who are appointed at the state level, who receive three or more travel reimbursements annually shall be required to participate in the Electronic Data Interchange Program administered by the Department of Accounts as a condition of accepting such appointment. The bill provides that the requirement applies only to such citizen members who are appointed or reappointed on or after July 1, 2011.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11101802D

01/12/11 House: Referred to Committee on General Laws

HB2300 Department of Planning and Budget; budget performance data provided by state agencies; established.

Chief Patron: Englin

Summary:

Requires each state agency to conduct an annual review and prioritization of its operations and programs. Under the bill, each agency shall develop a list of its three highest and three lowest priorities and include them in the budget estimates submitted to the Department of Planning and Budget. The bill also provides for the head of each state agency to designate an existing employee to serve as the agency's Performance Improvement Officer to assist in ensuring that the mission and goals of the agency are achieved through strategic and performance planning and measurement pursuant to the performance management system established by the Department.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11101610D

01/12/11 House: Referred to Committee on General Laws

HB2324 Investment in research and technology in the Commonwealth.

Companion Bill: SB1322

Chief Patron: Lingamfelter

Summary:

Creates the Virginia Research and Technology Investment Program, consisting of the Commonwealth Research Commercialization Fund (CRCF) and the GAP Fund program administered by the Innovation and Entrepreneurship Investment Authority. The bill makes significant changes to the existing CRCF, including creating a Commercialization Subfund, a Research Match Subfund, and an Eminent Scholar Subfund, and sets up a new process for the application, review, and award of funds from the CRCF.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11101317D

01/12/11 House: Referred to Committee on Appropriations

HB2340 Protective orders; dating relationship.

Chief Patron: Morrissey

Summary:

Expands the class of persons who is eligible to obtain a protective order in cases of family abuse to include persons who are in a dating relationship and who have been subjected to dating relationship abuse. The bill also defines the terms "dating relationship" and "dating relationship abuse."

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11100637D

01/12/11 House: Referred to Committee for Courts of Justice

01/13/11 House: Impact statement (HB2340)

HB2341 Plastic bags; imposed tax of \$0.20 on plastic bags used by purchasers.

Chief Patron: Morrissey

Summary:

Imposes a tax of \$0.20 on plastic bags used by purchasers to carry tangible personal property from the place of purchase. Durable, reusable plastic bags and bags used for ice cream, meat, fish, poultry, leftover restaurant food, newspapers, dry cleaning, and prescription drugs are exempt from the tax. Retailers are allowed to retain \$0.05 of the \$0.20 tax or \$0.07 if the retailer has a customer bag credit program. Failure to collect and remit the tax will result in fines of \$250, \$500, and \$1,000 for the first, second, and third and subsequent offenses, respectively.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11102181D

01/12/11 House: Referred to Committee on Finance

HB2346 Public institutions of higher education; compensation of athletic coaches.

Chief Patron: Morrissey

Summary:

Requires that the board of visitors of every public institution of higher education adopts and implements policies such that the annual total compensation provided to any coach of an intercollegiate athletic team shall not include more than \$300,000 of state funding.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11102911D

01/12/11 House: Referred to Committee on Education

HB2383 Freedom of Information Act (FOIA); court review in cases of requester harassment.

Chief Patron: Lewis

Summary:

Allows any public body to petition an appropriate court for a summary determination whether a requester, in making a request for records, is intending to harass or otherwise abuse the rights or privileges granted by FOIA or whether such request is overly burdensome on the public body.

Status:

01/13/11 House: Presented and ordered printed 11100818D

01/13/11 House: Referred to Committee on General Laws

HJ542 U. S. Constitution; application to U.S. Congress to call convention to propose an amendment.

Chief Patron: LeMunyon

Summary:

Makes application to the United States Congress to call a constitutional convention for the purpose of proposing an amendment that permits the repeal of any federal law or regulation by vote of two-thirds of the state legislatures. The resolution states that application would be revoked and withdrawn if the convention acts to amend the Constitution for any purpose other than consideration of a federal appeal amendment.

Status:

12/15/10 House: Prefiled and ordered printed; offered 01/12/11 11102217D

12/15/10 House: Referred to Committee on Privileges and Elections

01/13/11 House: Assigned P & E sub: #1 Constitutional

HJ638 Constitutional amendment (first resolution); marriage.

Chief Patron: Englin

Summary:

Proposes the repeal of the constitutional amendment dealing with marriage that was approved by referendum at the November 2006 election. That amendment to the Bill of Rights: (i) defined marriage as "only a union between one man and one woman"; (ii) prohibited the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage"; and (iii) prohibited the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage."

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11100720D

01/12/11 House: Referred to Committee on Privileges and Elections

01/13/11 House: Assigned P & E sub: #1 Constitutional

HJ680 Constitutional amendment (first resolution); contributions to defined benefit retirement plans.

Chief Patron: Englin

Summary:

Requires that contributions to defined benefit retirement plans that are maintained for state employees and employees of participating political subdivisions and school divisions be made in strict adherence with contribution rates and times for the payment of the contributions as recommended by the Board of Trustees of the Virginia Retirement System (VRS).

Status:

01/12/11 House: Presented and ordered printed 11103150D

01/12/11 House: Referred to Committee on Privileges and Elections

HJ687 Constitutional amendment (first resolution); General Assembly powers; limitations.

Chief Patron: Habeeb

Summary:

Provides that the General Assembly may suspend or nullify any or all portions of any administrative rule or regulation by joint resolution agreed to by a majority of the members elected to each house. The General Assembly may designate a joint legislative commission or pair of standing committees representing both houses to suspend any administrative rule or regulation during the interim that the General Assembly is not in session.

Status:

01/13/11 House: Presented and ordered printed 11102264D

01/13/11 House: Referred to Committee on Privileges and Elections

HR44 Commending E.D. Hirsch.

Chief Patron: Ware, R.L.

Status:

12/17/10 House: Prefiled and laid on Speaker's table; offered 01/12/11 11101443D

01/14/11 House: Engrossed by House

01/14/11 House: Agreed to by House by voice vote

01/14/11 House: Introduced bill reprinted 11101443D

SB747 Nondiscrimination in state employment; prohibited based on race, color, religion, etc.

Chief Patron: McEachin

Summary:

Prohibits discrimination in state employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a special disabled veteran

or other veteran covered by the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" shall not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill contains technical amendments.

Status:

10/29/10 Senate: Prefiled and ordered printed; offered 01/12/11 11100229D

10/29/10 Senate: Referred to Committee on General Laws and Technology

01/14/11 Senate: Impact statement from DPB (SB747)

SB759 Workers' compensation; compensable consequences.

Chief Patron: Reynolds

Summary:

Establishes a rebuttable presumption that a subsequent injury to an employee is a compensable consequence of the employee's primary injury if the subsequent injury is to a body part or system that sustained a primary injury that (i) was accepted as compensable by the employer or (ii) was found to be compensable by the Workers' Compensation Commission. An employer may rebut this presumption by clear and convincing evidence that the subsequent injury is not causally connected to the primary injury because the injury is not a natural consequence that flows from the primary injury or that the injury is the result of an independent intervening cause attributable to the employee's own intentional conduct. The measure also provides that the period in which an employee may request the Commission to review a prior award based on a change in conditions in claims for medical treatment for a subsequent injury that is a compensable consequence of a primary injury is 24 months after the last to occur of the date of the employer's last payment of indemnity compensation or the last payment of any medical benefits. Currently, the limitation period for claims asserting such a change in conditions is 24 months from the last day for which compensation was paid.

Status:

12/07/10 Senate: Prefiled and ordered printed; offered 01/12/11 11100661D

12/07/10 Senate: Referred to Committee on Commerce and Labor

SB797 Human Rights Act; adds sexual orientation to definition of unlawful discriminatory practice.

Chief Patron: Locke

Summary:

Adds sexual orientation to the definition of unlawful discriminatory practice.

Status:

12/29/10 Senate: Prefiled and ordered printed; offered 01/12/11 11101727D

12/29/10 Senate: Referred to Committee on General Laws and Technology

SB812 Virginia Freedom of Information Act; access to salary information, etc., of public employees.

Chief Patron: Martin

Summary:

Allows public access to the records of only the job position, official salary, or rate of pay of, and the allowances or reimbursements for expenses paid to, any officer, official, or employee of a public body. The bill specifically excludes

the name of any such officer, official, or employee from disclosure.

Status:

01/05/11 Senate: Prefiled and ordered printed; offered 01/12/11 11101986D

01/05/11 Senate: Referred to Committee on General Laws and Technology

SB818 Certificate of public need; exempts construction of an outpatient radiation therapy facility, etc.

Chief Patron: McEachin

Summary:

Exempts the construction of an outpatient radiation therapy facility, and the upgrade of the facility's equipment, from the certificate of public need requirements.

Status:

01/06/11 Senate: Prefiled and ordered printed; offered 01/12/11 11100532D

01/06/11 Senate: Referred to Committee on Education and Health

01/12/11 Senate: Assigned Education sub: Health Licensing

SB823 Workers' compensation; presumption that injury arises out of employment.

Companion Bill: HB1475

Chief Patron: Edwards

Summary:

Creates a presumption that a workplace injury results from an accident arising out of employment for purposes of the Workers' Compensation Act if the employee is found dead or to have incurred a brain injury resulting from external mechanical force that impairs the employee's brain function to such an extent that the employee is incapable of recalling the relevant circumstances of the accident. A judicially created presumption currently exists when an employee is found dead as the result of an accident at his place of work and there is no evidence offered to show what caused the death or to show that he was not engaged in his employer's business at the time.

Status:

01/06/11 Senate: Prefiled and ordered printed; offered 01/12/11 11101256D

01/06/11 Senate: Referred to Committee on Commerce and Labor

SB824 Tuition, in-state; waiver of one-year residency requirement.

Chief Patron: Edwards

Summary:

Authorizes certain veterans who elect to establish Virginia as their permanent residence for domiciliary purposes to establish immediate residency in Virginia and become eligible for in-state tuition, rather than waiting the required one-year period.

Status:

01/06/11 Senate: Prefiled and ordered printed; offered 01/12/11 11101236D

01/06/11 Senate: Referred to Committee on Education and Health

01/12/11 Senate: Assigned Education sub: Higher Education

SB831 Virginia Fraud Against Taxpayers Act; issuance of civil investigative demands.

Chief Patron: Petersen

Summary:

Provides that the Attorney General may not issue a civil investigative demand to a Virginia public institution of higher education when the claim relates to a matter of academic inquiry or research.

Status:

01/07/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103237D

01/07/11 Senate: Referred to Committee for Courts of Justice

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

SB832 Green Public Buildings Act; definitions, building standards.

Companion Bill: HB1817

Chief Patron: Petersen

Summary:

Requires executive branch agencies and institutions entering the design phase for construction of a new building greater than 5,000 gross square feet in size, or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building, to meet standards at least as stringent as the LEED or Green Globes standards. Exemptions from the requirement may be granted by the Director of the Department of General Services upon a finding of special circumstances that make construction or renovation to the standards impracticable.

Status:

01/07/11 Senate: Prefiled and ordered printed; offered 01/12/11 11100452D

01/07/11 Senate: Referred to Committee on General Laws and Technology

01/14/11 Senate: Impact statement from DPB (SB832)

SB876 Castle doctrine; encodes version allowing use of deadly force, etc. against an intruder in dwelling.

Companion Bill: HB1573

Chief Patron: Stuart

Summary:

Encodes a version of the "castle doctrine," allowing a lawful occupant to use of physical force, including deadly force, against an intruder in his dwelling who has committed an overt act against him, without civil liability.

Status:

01/10/11 Senate: Prefiled and ordered printed; offered 01/12/11 11102140D

01/10/11 Senate: Referred to Committee for Courts of Justice

01/12/11 Senate: Assigned Courts sub: Criminal

SB877 Family or household member; redefines and expands definition.

Chief Patron: Reynolds

Summary:

Redefines the definition of "family or household member" to include (1) a person's in-laws regardless of whether the in-laws reside in the same house as the person and (2) any individual who is or was involved in a continuing relationship of a romantic or intimate nature with the person. Expanding the definition of "family or household member" implicates crimes for which a family or household member is a victim (e.g., assault and battery against a family member) and protective orders under which a person may be protected (e.g., protective orders in cases of family abuse).

Status:

01/10/11 Senate: Prefiled and ordered printed; offered 01/12/11 11100136D

01/10/11 Senate: Referred to Committee for Courts of Justice

01/11/11 Senate: Impact statement (SB877)

01/12/11 Senate: Assigned Courts sub: Criminal

SB922 Fertilizer; regulation of application and labeling.

Chief Patron: McDougale

Summary:

Regulates several aspects relating to the application and use of fertilizer to lawns and turfs, including rules against applying fertilizers containing phosphorus or applying fertilizer when the ground is frozen, and the inclusion of a cautionary label on application and use. The prohibitions do not apply if: (i) the turf area is newly established or under repair; (ii) recent soil tests indicate the need for phosphorus fertilizer; (iii) the turf area is a golf course that has implemented a nutrient management plan; (iv) the area is a garden or greenhouse; or (v) the product being used is manipulated manure or yard waste compost. The bill also prohibits localities from regulating the use or application of fertilizers outside of any authority granted by the Stormwater Management Act. The Department of Conservation and Recreation is required to adopt regulations and operate a voluntary nutrient management training program to enable landowners and operators to prepare nutrient management plans for their own property. Golf course owners are specifically required to develop and implement nutrient management plans.

Status:

01/10/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103441D

01/10/11 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources

SB939 Visitors, boards of; adds two members to each public college and university.

Chief Patron: Miller, J.C.

Summary:

Adds two members to the boards of visitors of each public college and university, to be chosen by the other members.

Status:

01/10/11 Senate: Prefiled and ordered printed; offered 01/12/11 11102422D

01/10/11 Senate: Referred to Committee on Education and Health

01/12/11 Senate: Assigned Education sub: Higher Education

SB1008 Virginia Retirement System; defined contribution plan; member contributions.

Chief Patron: Watkins

Summary:

Creates an optional defined contribution retirement plan for state employees. The Commonwealth would contribute to the defined contribution account of each employee as follows: (i) the Commonwealth would contribute two percent of the employee's salary with no contribution required of the employee; (ii) if the employee contributes to his defined contribution account, the Commonwealth would match the employee's contributions at a rate of 100 percent up to the first five percent of the employee's salary, which would be in addition to the Commonwealth's contribution under clause (i); and (iii) if the employee contributes more than five percent of his salary, the Commonwealth would match the employee's contributions at a rate of 50 percent for the employee's contributions that are in excess of five percent of his salary but not in excess of eight percent of the employee's salary, which would be in addition to the Commonwealth's contributions under clauses (i) and (ii). The bill allows political subdivisions that participate in the Virginia Retirement System to establish a substantially similar defined contribution plan.

Status:

01/11/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103564D

01/11/11 Senate: Referred to Committee on Finance

SB1074 In-state tuition; National Guard.

Chief Patron: Barker

Summary:

Provides in-state tuition for any person who met the requirements for in-state tuition prior to being called to active duty in the National Guard of another state following completion of active duty service if during active duty that person maintained one or more of the following in Virginia rather than in another state or jurisdiction: a driver's license, motor vehicle registration, voter registration, employment, property ownership, or sources of financial support. The bill contains an emergency clause.

Status:

01/11/11 Senate: Prefiled and ordered printed with emergency clause; offered 01/12/11

01/11/11 Senate: Referred to Committee on Education and Health

SB1110 University of Virginia; management agreement.

Companion Bill: HB2140

Chief Patron: Wampler

Summary:

Clarifies that the University of Virginia is authorized to make full use of the additional financial and operational authority granted to it in its management agreement in providing assistance to the Southwest Virginia Higher Education Center.

Status:

01/11/11 Senate: Prefiled and ordered printed; offered 01/12/11 11102522D

01/11/11 Senate: Referred to Committee on Education and Health

SB1183 Legislative sessions; no bills may introduced in an odd-year regular session, exception.

Chief Patron: Norment

Summary:

Provides that no bills may be introduced in an odd-year regular session except (i) amendments to the biennial budget, (ii) constitutional amendments, (iii) legislation continued from the even-year regular session immediately preceding an odd-year regular session, (iv) emergency legislation requested by the Governor or introduced by a member of the General Assembly upon the unanimous consent of the house of introduction, (v) legislation pertaining to procedural matters, and (vi) commending and memorial resolutions.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103570D

01/12/11 Senate: Referred to Committee on Rules

SB1201 Study; feasibility and cost-effectiveness of withdrawal from Medicaid; report.

Chief Patron: Obenshain

Summary:

Directs the Joint Legislative Audit and Review Commission to study the feasibility and cost-effectiveness of withdrawing from Medicaid in favor of a state-run program. In conducting its study, the Joint Legislative Audit and Review Commission shall (i) review the provisions of the Patient Protection and Affordable Care Act pertaining to the expansion of the Medicaid program and assess the potential impact of expanding the program in Virginia; (ii) evaluate the options of withdrawal from Medicaid and the establishment of a state-run program relative to the fiscal, social, and health impact of each option; (iii) propose the framework and estimate the cost of establishing a state-run program, including, but not limited to, eligibility criteria, covered benefits and services, qualifications of and payment levels for participating health care providers, and potential revenues and funding stream; (iv) consider such related matters as the Commission may deem appropriate; and (v) propose feasible and appropriate options. The Joint Legislative Audit and Review Commission must submit its report to the 2012 Session of the General Assembly.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103855D

01/12/11 Senate: Referred to Committee on Rules

01/14/11 Senate: Assigned Rules sub: #1

SB1202 Health benefits exchanges; abortion coverage not permitted.

Chief Patron: Obenshain

Summary:

Prohibits any qualified health insurance plan that is sold or offered for sale through a health benefits exchange established or operating in the Commonwealth pursuant to federal health care reform legislation from providing coverage for abortions. The prohibition does not apply to an abortion performed (i) when the life of the mother is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself, or (ii) when the pregnancy is the result of an alleged act of rape or incest.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11101737D

01/12/11 Senate: Referred to Committee on Education and Health

SB1207 Constitutionally guaranteed rights of unborn children.

Chief Patron: Obenshain

Summary:

Provides that unborn children at every stage of development enjoy all the rights, privileges, and immunities available to other persons, citizens, and residents of the Commonwealth, subject only to the laws and constitutions of Virginia and the United States and precedents of the appellate courts of Virginia and of the United States.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103417D

01/12/11 Senate: Referred to Committee on Education and Health

SB1250 Regulation of firearms by state entities.

Chief Patron: Vogel

Summary:

Prohibits any department, agency, or other entity of the Commonwealth from adopting or enforcing any rule, regulation, or policy regarding firearms or ammunition except for those rules, regulations, or policies expressly authorized by statute. Any rule, regulation, or policy adopted prior to July 1, 2011, without express statutory authority would be invalid. The prohibition would not apply to local, state, or regional correctional facilities or facilities operated by the Department of Behavioral Health and Developmental Services.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11100908D

01/12/11 Senate: Referred to Committee on Rules

SB1273 Dept. of Minority Business Enterprise; small, women-owned, and minority-owned businesses.

Chief Patron: Obenshain

Summary:

Requires state contracts awarded pursuant to enhancement or remedial measures implemented to enhance participation by small, women-owned, and minority-owned businesses to include a requirement that no more than 60 percent of the work be subcontracted to another contractor except under certain circumstances. The bill authorizes the Department of Minority Business Enterprise to investigate complaints that the business has violated the contract provision and authorizes the Director to revoke the business's certification as a small, women-owned, or minority-owned business for a period of one year upon determination that the contract provision has been violated. The bill also provides that any enhancement or remedial measure require the state agency to solicit bids from all qualified vendors and not be limited to bids submitted by small, women-owned, and minority-owned businesses. Under the bill, any enhancement or remedial measure cannot exceed three percent of the total value of all vendor contracts calculated against the costs of accepting the lowest competent and qualifying bids.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103954D

01/12/11 Senate: Referred to Committee on General Laws and Technology

SB1279 Eligibility for in-state tuition charges.

Companion Bill: HB1848

Chief Patron: McWaters

Summary:

Ensures that the established Virginia domicile of a spouse of an active duty military service member, and therefore in-state tuition eligibility, must not be affected by the establishment and maintenance of a place of residence in another jurisdiction for the purpose of maintaining a joint household with such member. The bill also provides that the spouse of an active duty military service member, if such spouse has established domicile and claimed a dependent student on federal or state income tax returns, must not be subject to minimum income tests or requirements.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103650D

01/12/11 Senate: Referred to Committee on Education and Health

SB1288 Public Procurement Act; verification of legal presence.

Chief Patron: McWaters

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:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11102786D

01/12/11 Senate: Referred to Committee on General Laws and Technology

SB1289 Eligibility for in-state tuition; waiver of one-year residency requirement.

Chief Patron: McWaters

Summary:

Authorizes certain veterans who elect to establish Virginia as their permanent residence for domiciliary purposes to establish immediate residency in Virginia and become eligible for in-state tuition, rather than waiting the required one-year period.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11102788D

01/12/11 Senate: Referred to Committee on Education and Health

SB1314 Virginia Fraud Against Taxpayers Act.

Chief Patron: McEachin

Summary:

Repeals the authority of the Attorney General to issue civil investigative demands.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11100093D

01/12/11 Senate: Referred to Committee for Courts of Justice

SB1322 Investment in research and technology in the Commonwealth.

Companion Bill: HB2324

Chief Patron: Newman

Summary:

Creates the Virginia Research and Technology Investment Program, consisting of the Commonwealth Research Commercialization Fund (CRCF) and the GAP Fund program administered by the Innovation and Entrepreneurship Investment Authority. The bill makes significant changes to the existing CRCF, including creating a Commercialization Subfund, a Research Match Subfund, and an Eminent Scholar Subfund, and sets up a new process for the application, review, and award of funds from the CRCF.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11101367D

01/12/11 Senate: Referred to Committee on General Laws and Technology

SB1363 Two-Year College Transfer Grant Program.

Chief Patron: Stosch

Summary:

Increases the amount of the grant from \$1,000 to \$1,500, federal Expected Family Contribution threshold from \$8,000 to \$12,000, and requires the students who receive the grant to maintain the continued enrollment requirements at the institution to which they have transferred, rather than meeting a specific GPA requirement.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103463D

01/12/11 Senate: Referred to Committee on Education and Health

SJ280 U. S. Constitution; makes application to U.S. Congress to call convention to propose an amendment.

Chief Patron: McDougle

Summary:

Makes application to the United States Congress to call a constitutional convention for the purpose of proposing an amendment that permits the repeal of any federal law or regulation by vote of two-thirds of the state legislatures. The resolution states that application would be revoked and withdrawn if the convention acts to amend the Constitution for any purpose other than consideration of a federal appeal amendment.

Status:

12/15/10 Senate: Prefiled and ordered printed; offered 01/12/11 11102634D

12/15/10 Senate: Referred to Committee on Privileges and Elections

01/14/11 Senate: Assigned to P&E sub: Constitutional Amendments, Reapportionment, Referenda