

Legislative Report
University of Virginia -- Office of State Governmental Relations
January 22, 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:

01/19/11 House: Read first time

01/20/11 House: Read second time

01/20/11 House: Pending question ordered

01/20/11 House: Engrossed by House

01/21/11 House: VOTE: PASSAGE (61-Y 33-N 1-A)

HB1422 Homestead exemptions; adds one family firearm, not to exceed \$3,000 value, to list of exemptions.

Chief Patron: Albo

Summary:

Adds one family firearm, not to exceed \$3,000 in value, to the list of items that every householder shall be entitled to hold exempt from creditor process.

Status:

10/25/10 House: Prefiled and ordered printed; offered 01/12/11 11100502D

10/25/10 House: Referred to Committee for Courts of Justice

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

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

01/18/11 House: Impact statement from DPB (HB1436)

01/18/11 House: Stricken from docket by Commerce and Labor

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

Chief Patron: Marshall, R.G.

Summary:

Construing the word "person" under Virginia law, including, but not limited to Va. Code Ann. 8.01-50, to include unborn children.

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

01/19/11 House: Assigned Courts sub: #3 Immigration

HB1471 Homestead and other exemptions; exemption of real or personal property.

Chief Patron: Cole

Summary:

Raises the homestead exemption from real or personal property not exceeding \$5,000 in value to personal property not exceeding \$5,000 in value and real property not exceeding \$25,000 in value. The bill also adds certain specific items of personal property to the list of what a debtor may hold exempt from creditor process and increases from \$2,000 to \$7,500 the value of an automobile that may be held as exempt. The bill also provides that the amount of certain exemptions shall be adjusted for inflation every three years. The bill also provides that a debtor may elect between the exemptions permitted under federal bankruptcy law and Title 34. Current law does not allow a debtor to elect the

bankruptcy exemptions.

Status:

12/07/10 House: Prefiled and ordered printed; offered 01/12/11 11101158D

12/07/10 House: Referred to Committee for Courts of Justice

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

01/19/11 House: Subcommittee recommends incorporating (HB1422-Albo)

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:

01/13/11 House: Assigned C & L sub: #1

01/18/11 House: Impact statement from DPB (HB1475)

01/18/11 House: Subcommittee recommends reporting (7-Y 0-N)

01/20/11 House: Reported from Commerce and Labor with substitute (21-Y 0-N)

01/20/11 House: Committee substitute printed 11104298D-H1

HB1494 Homestead exemption; increases from \$5,000 to \$15,000 for every householder.

Chief Patron: Ware, O.

Summary:

Increases from \$5,000 to \$15,000 the homestead exemption for every householder.

Status:

12/16/10 House: Prefiled and ordered printed; offered 01/12/11 11101071D

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

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

01/19/11 House: Subcommittee recommends incorporating (HB1422-Albo)

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

01/19/11 House: Tabled in 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, ejectment, 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)

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

01/20/11 House: Impact statement from DPB (HB1559)

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

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: Referred to Committee on Science and Technology
01/18/11 House: Impact statement from DPB (HB1639)
01/19/11 House: Reported from Science and Technology (21-Y 0-N)
01/19/11 House: Referred to Committee on Appropriations
01/20/11 House: Assigned App. sub: Higher Education

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
01/19/11 House: Impact statement from DPB (HB1671)

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

01/20/11 House: Subcommittee recommends passing by with letter

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

01/19/11 House: Assigned Courts sub: #3 Immigration

HB1815 Cigarette and other tobacco products; increases tax rate.

Chief Patron: Hope

Summary:

Increases the cigarette tax rate from \$0.30 per pack to \$1.45 per pack and increases the cigarette excise tax on roll-your-own tobacco from 10 percent to 50 percent. The bill also increases the tax rate on certain other tobacco products from 10 percent of the manufacturer's sales price to 50 percent. The additional revenue attributable to the increase in tax rates on cigarettes and roll-your-own tobacco is distributed as follows: 52 percent for Medicaid waivers for intellectual disabilities, 40 percent for Medicaid reimbursement to hospitals and doctors, four percent to the Virginia Department of Health for the Virginia state tobacco quitline, and four percent to the Virginia Healthy Youth Foundation to prevent tobacco use. The additional revenue attributable to the increase in the tax rate on other tobacco products is dedicated to Medicaid waivers for intellectual disabilities.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11103872D

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

01/15/11 House: Impact statement from TAX (HB1815)

01/17/11 House: Assigned Finance sub: #1

01/19/11 House: Subcommittee recommends laying on the table (9-Y 0-N)

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

01/17/11 House: Impact statement from DPB (HB1817)

HB1836 Hospitals; DNA sampling of infants.

Chief Patron: O'Bannon

Summary:

Requires every hospital providing maternity care to take a sample of an infant's DNA at such time as mandatory genetic screenings are performed, and provide that sample to the infant's mother prior to releasing the infant from the hospital, unless the mother objects.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11100145D

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

01/21/11 House: Assigned HWI sub: #1

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

01/18/11 House: Assigned Education sub: #4 Higher Education and Arts

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

01/19/11 House: Reported from Education (20-Y 0-N)

01/20/11 House: Read first time

01/21/11 House: Read second time and engrossed

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
01/18/11 House: Assigned Education sub: #4 Higher Education and Arts

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
01/18/11 House: Assigned Education sub: #4 Higher Education and Arts

HB2039 Construction management; limits use of at-risk method for building construction projects.

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
01/17/11 House: Assigned GL sub: #2 FOIA/Procurement
01/17/11 House: Impact statement from DPB (HB2039)

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

01/17/11 House: Assigned Finance sub: #1

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

01/18/11 House: Assigned Education sub: #4 Higher Education and Arts

HB2063 Protective orders; expands class of persons eligible to obtain.

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 from (HB2063)

HB2068 Health Care Decisions Act; medically inappropriate treatment.

Chief Patron: Bell, Robert B.

Summary:

Clarifies that for the purpose of determining when a physician may refuse to provide medically or ethically inappropriate treatment, medical treatment shall not be deemed medically or ethically inappropriate on the basis of a view (i) that values extending the life of a younger, nondisabled, non-terminally ill individual more than extending the life of an elderly, disabled, or terminally ill individual; or (ii) different from that of the patient, or the individual authorized to act on the patient's behalf, on the tradeoff between extending the length of the patient's life and the risk of disability.

Status:

01/11/11 House: Prefiled and ordered printed; offered 01/12/11 11102690D

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

01/21/11 House: Assigned HWI sub: #1

HB2076 Inspector General, Office of; established.

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

01/17/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

HB2097 Architect or professional engineers; required to maintain an error and omissions policy.

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

01/17/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

HB2101 Landlord enforcement; locality may hold landlords responsible for certain violations of tenants.

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

01/19/11 House: Assigned CC & T sub: #2

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

01/18/11 House: Assigned Education sub: #4 Higher Education and Arts

01/20/11 House: Impact statement from DPB (HB2140)

HB2196 Government Transparency Advisory Council; established, searchable database website established.

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

01/17/11 House: Assigned GL sub: #2 FOIA/Procurement

HB2201 Payroll Services Bureau; DPB to require participation of all state agencies.

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

01/20/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

HB2207 State employees; removes statutory formulas for calculating sick leave & personal leave.

Chief Patron: Comstock

Summary:

Removes the statutory formulas for calculating sick leave and family and personal leave for state employees. The Department of Human Resource Management would establish the formulas for calculating state employee leave by policy.

Status:

01/12/11 House: Prefiled and ordered printed; offered 01/12/11 11103072D

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

01/18/11 House: Assigned App. sub: Compensation and Retirement
01/19/11 House: Impact statement from DPB (HB2207)

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
01/18/11 House: Assigned Education sub: #4 Higher Education and Arts
01/21/11 House: Impact statement from DPB (HB2246)

HB2262 Green Public Buildings Act; definitions, building standards.

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
01/17/11 House: Impact statement from DPB (HB2262)

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

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

01/20/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

HB2324 Virginia Research and Technology Investment Program; created, report.

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

01/18/11 House: Assigned App. sub: Higher Education

HB2340 Protective orders; expands class of persons eligible to include those in 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 from (HB2340)

HB2346 Higher educational institutions; 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

01/18/11 House: Assigned Education sub: #4 Higher Education and Arts

HB2373 Medical malpractice; privileged communications of certain committees.

Chief Patron: Peace

Summary:

Provides that medical records and incident reports prepared by first-hand witnesses regarding occurrences involving actual or potential injury or death of a patient or business invitee of a health care provider are not privileged communications.

Status:

01/13/11 House: Presented and ordered printed 11102138D

01/13/11 House: Referred to Committee for Courts of Justice

01/14/11 House: Assigned Courts sub: #2 Civil

01/19/11 House: Subcommittee recommends reporting with amendment(s) (11-Y 0-N)

HB2375 Commonwealth Project Management Standard; created, information technology project risk & complexity.

Chief Patron: O'Bannon

Summary:

Provides for the creation of the Commonwealth Project Management Standard, by which information technology projects in state agencies and most public institutions of higher education will be initiated, procured and governed. Also, this bill clarifies the roles of the Secretary of Technology and the Chief Information Officer (CIO) in the governance and oversight of technology projects. Projects shall be approved or disapproved by either the Secretary of Technology or the CIO based on the overall cost, as well as the overall risk and complexity of the project.

Status:

01/13/11 House: Presented and ordered printed 11103247D

01/13/11 House: Referred to Committee on Science and Technology

HB2377 Medical malpractice; privileged communications of certain committees.

Chief Patron: Cleaveland

Summary:

Provides that factual information, whether written or oral, regarding specific patient care and treatment, including patient care incidents occurring within a health care facility, are not subject to the privilege granted to certain committees and entities. Currently, oral communications regarding a specific incident regarding patient care are privileged if made more than 24 hours after the incident. The bill also provides that the privilege enjoyed by such committees and entities applies only to communications originating with them and not communications provided to them. The bill also provides that reports of patient safety data in possession of a patient safety organization are discoverable if the reports are made available or required to be made available to health regulatory boards or other agencies by state or federal law. The bill further provides that the policies and procedures of such organizations and entities are not privileged and may be admissible in civil, criminal, or administrative hearings.

Status:

01/13/11 House: Presented and ordered printed 11102177D

01/13/11 House: Referred to Committee for Courts of Justice

01/14/11 House: Assigned Courts sub: #2 Civil

01/19/11 House: Subcommittee recommends incorporating (HB2373-Peace)

HB2383 Freedom of Information Act; 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

01/20/11 House: Assigned GL sub: #2 FOIA/Procurement

HB2386 Concealed weapons permit; authorizes person to obtain permit to carry any lawfully possessed weapon.

Chief Patron: Miller, J.H.

Summary:

Authorizes a person to obtain a permit to carry any lawfully possessed weapon in a concealed manner, and not just a handgun.

Status:

01/14/11 House: Presented and ordered printed 11103333D

01/14/11 House: Referred to Committee on Militia, Police and Public Safety

HB2408 State agencies; requires notice to localities of certain state projects.

Chief Patron: Ware, R.L.

Summary:

Requires that notice of certain state capital projects involving new construction costing at least \$100,000 be sent to localities by registered mail and specifies that the notice shall be sent prior to, rather than during, the planning phase of the project. Failure of any state agency to strictly comply with such requirements will justify entry of an injunction on behalf of the locality.

Status:

01/17/11 House: Presented and ordered printed 11103148D

01/17/11 House: Referred to Committee on Counties, Cities and Towns

01/20/11 House: Impact statement from DPB (HB2408)

01/20/11 House: Assigned CC & T sub: #2

HB2410 Retirement System; optional defined contribution retirement program for state and local employees.

Chief Patron: Putney

Summary:

Creates an optional defined contribution retirement program for state and local employees beginning January 1, 2012.

Status:

01/17/11 House: Presented and ordered printed 11103874D

01/17/11 House: Referred to Committee on Appropriations

01/20/11 House: Assigned App. sub: Compensation and Retirement

HB2416 Accountability and Performance Review Commission; established.

Chief Patron: Stolle

Summary:

Establishes the Accountability and Performance Review Commission to review agencies on an eight-year cycle and advise the General Assembly on the elimination of waste, duplication, and inefficiency on the part of such agencies.

Status:

01/18/11 House: Presented and ordered printed 11104001D

01/18/11 House: Referred to Committee on Rules

HB2433 Abortion; shall undergo ultrasound imaging and view image of her fetus.

Chief Patron: Cole

Summary:

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

Status:

01/18/11 House: Presented and ordered printed 11103989D

01/18/11 House: Referred to Committee for Courts of Justice

01/21/11 House: Assigned Courts sub: #1 Criminal

HB2447 Renewable energy incentives; created for development of renewable energy facilities in State.

Chief Patron: Cosgrove

Summary:

Creates incentives for the development of renewable energy facilities in the Commonwealth. The incentives include (i) clarifying the definition of renewable energy to include wood waste materials; (ii) establishing a preference in energy procurement for state facilities for the use of renewable energy; (iii) directing the establishment of goals for the increased use by state agencies of renewable energy that will seek to have 20 percent of the energy consumed at state facilities to be renewable energy by 2025; (iv) allowing the Department of General Services to contract for renewable energy on a negotiated basis without using a competitive procurement process; (v) establishing a program to be administered by the Virginia Resources Authority under which 70 percent of the amount of loans for the capital cost of a qualifying facility may be guaranteed; and (vi) expanding the existing permit-by-rule program for small renewable energy facilities to include all renewable energy facilities, regardless of size.

Status:

01/19/11 House: Presented and ordered printed 11104106D
01/19/11 House: Referred to Committee on Commerce and Labor
01/21/11 House: Assigned C & L sub: #3 Special Subcommittee on Energy

HB2465 Virginia Retirement System; defined contribution retirement program for state and local employees.

Chief Patron: Jones

Summary:

Creates a defined contribution retirement program for state and local employees hired on or after January 1, 2012, in place of the current defined benefit plan. Employees hired prior to January 1, 2012, may elect to become members of the defined contribution plan in lieu of the current defined benefit plan.

Status:

01/20/11 House: Presented and ordered printed 11103867D
01/20/11 House: Referred to Committee on Appropriations

HB2490 Campus police; report of certain incidents to local law-enforcement agency.

Chief Patron: Miller, P.J. _____

Summary:

Requires the chief law-enforcement officer of a public or private institution of higher education to report the death or an alleged rape of any person on campus property to the local law-enforcement agency of the locality in which the institution is located. The local law-enforcement agency would assume responsibility for leading the investigation, with cooperation from the institution of higher education.

Status:

01/21/11 House: Presented and ordered printed 11104027D
01/21/11 House: Referred to Committee on Militia, Police and Public Safety

HB2510 Virginia Higher Education Opportunity Act of 2011; established, report.

Chief Patron: Cox, M.K. _____

Summary:

Establishes the Virginia Higher Education Opportunity Act of 2011 for the purpose of fueling strong economic growth in the Commonwealth and preparing Virginians for the top job opportunities in the knowledge-driven economy of the 21st century. The bill provides for (i) a new higher education funding policy; (ii) the calculation of the state general fund share of an institution's basic operations and instruction funding need; (iii) per student enrollment-based funding; (iv) targeted economic and innovation incentives; (v) the creation of a Higher Education Revenue Stabilization Fund as a subfund of the Revenue Stabilization Fund; (vi) the creation of a STEM Public-Private Partnership; and (vii) the creation of a Higher Education Advisory Committee. The bill also makes technical amendments. This bill is a recommendation of the Governor's Commission on Higher Education Reform, Innovation and Investment.

Status:

01/21/11 House: Presented and ordered printed 11104195D

01/21/11 House: Referred to Committee on Appropriations

HB2517 Budget bill; basis for preparation.

Chief Patron: Lewis

Summary:

Requires the Budget Bill for the 2012-2014 biennium and future Budget Bills to be prepared and formulated utilizing zero-based budgeting principles.

Status:

01/21/11 House: Presented and ordered printed 11103798D

01/21/11 House: Referred to Committee on Appropriations

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 the vote of two-thirds of the state legislatures. The resolution states that the application would be revoked and withdrawn if the convention acts to amend the Constitution for any purpose other than an amendment to permit such repeal of a federal law or regulation.

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

01/21/11 House: Reported from Privileges and Elections (15-Y 7-N)

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

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

01/18/11 Senate: Impact statement from DPB (SB759)

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

01/19/11 Senate: Impact statement from DPB (SB812)

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

01/18/11 Senate: Impact statement from DPB (SB823)

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: Referred to Committee on Education and Health

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

01/20/11 Senate: Reported from Education and Health with substitute (13-Y 0-N)

01/20/11 Senate: Committee substitute printed 11104438D-S1

01/21/11 Senate: Constitutional reading dispensed (35-Y 0-N)

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)

SB839 Homestead and other exemptions; raises exemption of certain real or personal property.

Chief Patron: Petersen

Summary:

Raises the homestead exemption from real or personal property not exceeding \$5,000 in value to personal property not exceeding \$5,000 in value and real property not exceeding \$25,000 in value. The bill also adds certain specific items of personal property to the list of what a debtor may hold exempt from creditor process and increases from \$2,000 to \$5,000 the value of an automobile that may be held as exempt. The bill also provides that the amount of certain exemptions shall be adjusted for inflation every three years. The bill also provides that a debtor may elect between the exemptions permitted under federal bankruptcy law and Title 34. Current law does not allow a debtor to elect the bankruptcy exemptions. The bill also provides that a debtor may not claim an exemption for property not lawfully owned by him or against debts based on judgments entered against the debtor for fraud or deceit.

Status:

01/07/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103233D

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

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

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 from (SB877)

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

01/19/11 Senate: Impact statement from DPB (SB877)

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
01/20/11 Senate: Impact statement from DPB (SB939)

SB960 Children's hospitals; definition.

Chief Patron: Northam

Summary:

Defines "children's hospital" as a freestanding hospital (i) whose inpatients are predominantly under 18 years of age and (ii) which is excluded from the Medicare prospective payment system pursuant to the Social Security Act.

Status:

01/11/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103813D
01/11/11 Senate: Referred to Committee on Education and Health
01/20/11 Senate: Reported from Education and Health with amendment (13-Y 0-N)
01/21/11 Senate: Constitutional reading dispensed (35-Y 0-N)

SB1008 Retirement System; creates an optional defined contribution retirement plan for state employees.

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 Tuition, in-state; person of other state meeting requirements called to National Guard is eligible.

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

01/18/11 Senate: Assigned Education sub: Higher Education

SB1110 UVA; to make full use of additional financial authority granted in 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

01/18/11 Senate: Assigned Education sub: Higher Education

01/20/11 Senate: Impact statement from DPB (SB1110)

SB1115 Retirement System; optional defined contribution retirement program for state & local employees.

Chief Patron: Watkins

Summary:

Creates an optional defined contribution retirement program for state and local employees beginning January 1, 2012.

Status:

01/11/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103656D

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

SB1173 Planning and Budget, Department of; reestimate of agency needs.

Chief Patron: Marsden

Summary:

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

general fund.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103456D

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

01/18/11 Senate: Impact statement from DPB (SB1173)

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

SB1222 Protective orders; person to seek if a victim of assault.

Chief Patron: Barker

Summary:

Allows a person to seek a protective order if a victim of assault. The bill also authorizes courts to issue protective orders that prohibit acts of assault and removes the requirement that bodily injury against an alleged victim be serious in order for a court to issue a protective order against the alleged perpetrator. Expanding the behavior for which a protective order may be issued implicates crimes for which a violation of a protective order is an element of the offense (e.g., trespass).

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11101445D

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

01/18/11 Senate: Assigned Courts sub: Criminal

01/20/11 Senate: Impact statement from VCSC (SB1222)

SB1250 Firearms; regulation 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

SB1279 Tuition, in-state; eligibility for spouse of an active duty military service member.

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

01/18/11 Senate: Assigned Education sub: Higher Education

SB1280 Boards, commissions, and councils; makes policy improvements and clarifications.

Chief Patron: McWaters

Summary:

Makes policy improvements and clarifications to several state boards, commissions, and councils including (i) establishing staggered terms for nonlegislative citizen members appointed by the Governor, (ii) clarifying the Governor's authority when provided lists of nominees by nongovernmental entities, and (iii) standardizing the terms of chairmen of entities appointed by the Governor to two years. The bill also abolishes the Virginia-Asian Advisory Board, the Latino Advisory Board, the Virginia Commission on Higher Education Board Appointments, the Chippokes Plantation Farm Foundation, and the Foundation for Virginia's Natural Resources. The bill contains technical amendments.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11101683D

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

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

01/20/11 Senate: Incorporated by Education and Health (SB824-Edwards) (13-Y 0-N)

SB1314 Fraud Against Taxpayers Act; repeals certain authority of Attorney General.

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

01/18/11 Senate: Assigned Courts sub: Civil

SB1322 Virginia Research and Technology Investment Program; created, report.

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; increases amount and students enrollment requirements.

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: Referred to Committee on Education and Health

01/20/11 Senate: Reported from Education and Health (13-Y 0-N)

01/20/11 Senate: Rereferred to Finance

01/20/11 Senate: Impact statement from DPB (SB1363)

01/21/11 Senate: Impact statement from DPB (SB1363)

SB1371 Capital outlay plan; sets forth 6-year plan for project funded entirely from general fund resources.

Chief Patron: Colgan

Summary:

Sets forth a six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.

Status:

01/12/11 Senate: Presented and ordered printed 11102824D

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

SB1391 Tuition, in-state; eligibility for veterans who elect to establish Virginia as residence.

Chief Patron: Barker

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:

01/17/11 Senate: Presented and ordered printed 11103915D

01/17/11 Senate: Referred to Committee on Education and Health

01/20/11 Senate: Incorporated by Education and Health (SB824-Edwards) (13-Y 0-N)

SB1428 Six-Year Capital Outlay Plan; process by which agencies' requests for capital project are presented.

Chief Patron: Marsh

Summary:

Specifies the process by which agencies' requests for capital projects are presented to the Six-Year Capital Outlay Plan Advisory Committee and the process the Advisory Committee shall follow.

Status:

01/20/11 Senate: Presented and ordered printed 11104246D

01/20/11 Senate: Referred to Committee on Finance

SB1440 Research and technology funding; Commonwealth Innovation Investment Fund.

Chief Patron: Herring

Summary:

Creates the Commonwealth Innovation Investment Fund. The Fund will be administered by the Innovation and Entrepreneurship Investment Authority to create, attract, retain, expand, and enhance technology research, innovation, and economic development in the Commonwealth. Beginning in 2013, the Fund will receive a portion of the income taxes withheld by science and innovation companies that employ persons in the Commonwealth. The percentage of the withheld taxes allocated to the Fund will be based on a percentage of the difference between the current year's withheld taxes and the amount withheld in 2012, the baseline year.

Status:

01/21/11 Senate: Referred to Committee on Finance

SB1448 Cambridge Advanced Exams; course credit.

Chief Patron: Barker

Summary:

Requires the governing boards of each public institution of higher education to implement policies regarding the granting of credit for Cambridge Advanced Exams. The bill also clarifies that students should be eligible for credit for International Baccalaureate and Advanced Placement examinations, not courses.

Status:

01/21/11 Senate: Referred to Committee on Education and Health

SB1459 Virginia Higher Education Opportunity Act of 2011.

Chief Patron: Houck

Summary:

Establishes the Virginia Higher Education Opportunity Act of 2011 for the purpose of fueling strong economic growth in the Commonwealth and preparing Virginians for the top job opportunities in the knowledge-driven economy of the 21st century. The bill provides for (i) a new higher education funding policy; (ii) the calculation of the state general fund share of an institution's basic operations and instruction funding need; (iii) per student enrollment-based funding; (iv) targeted economic and innovation incentives; (v) the creation of a Higher Education Revenue Stabilization Fund as a subfund of the Revenue Stabilization Fund; (vi) the creation of a STEM Public-Private Partnership; and (vii) the creation of a Higher Education Advisory Committee. The bill also makes technical amendments. This bill is a recommendation of the Governor's Commission on Higher Education Reform, Innovation and Investment.

Status:

01/21/11 Senate: Referred to Committee on Education and Health

SJ325 Governor; confirming appointments.

Chief Patron: Howell

Summary:

Confirms interim appointments made by Governor McDonnell of certain persons and communicated to the General Assembly August 2, 2010.

Status:

01/10/11 Senate: Prefiled and ordered printed; offered 01/12/11 11100137D

01/10/11 Senate: Referred to Committee on Privileges and Elections

01/14/11 Senate: Assigned to P&E sub: Certificate, Oath and Confirmation Review

SJ354 State employee compensation; JLARC to study salary structure and pay.

Chief Patron: Obenshain

Summary:

Provides for the Joint Legislative Audit and Review Commission to study the salary structure and pay of state

employees compared with similarly situated private sector employees.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11101747D

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

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

SJ355 Zero-based budgeting; requesting Governor to consider, report.

Chief Patron: Deeds

Summary:

Requests that the Governor, through the work of his Commission on Government Reform and Restructuring, consider the cost savings that may be achieved through zero-based budgeting, and consider how much revenue these savings may generate that could be used for transportation.

Status:

01/12/11 Senate: Prefiled and ordered printed; offered 01/12/11 11103994D

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

01/21/11 Senate: Assigned Rules sub: #1