

Legislative Report
University of Virginia -- Office of State Governmental Relations
January 30, 2012

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HB29 Budget Bill.

Companion Bill: SB29

Chief Patron: Putney

Summary:

Amending Chapter 890, 2011 Acts of Assembly.

Status:

12/19/11 House: Prefiled and ordered printed; offered 01/11/12 12103035D

12/19/11 House: Referred to Committee on Appropriations

HB30 Budget Bill.

Companion Bill: SB30

Chief Patron: Putney

Summary:

Appropriations of the Budget submitted by the Governor of Virginia providing a portion of revenues for the two years ending respectively on the thirtieth day of June, 2013, and the thirtieth day of June, 2014.

Status:

12/19/11 House: Prefiled and ordered printed; offered 01/11/12 12103038D

12/19/11 House: Referred to Committee on Appropriations

HB83 Mammograms; information on breast density.

Companion Bill: SB544

Chief Patron: Orrock

Summary:

Requires the Board of Health to establish guidelines requiring all mammogram reports to include information on breast density. Such information shall inform patients with dense breast tissue, as determined by the physician, that supplementary screening tests may be beneficial, depending on individual risk factors.

Status:

01/26/12 House: Read second time

01/26/12 House: Committee substitute agreed to 12104447D-H1

01/26/12 House: Engrossed by House - committee substitute HB83H1

01/27/12 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)

01/27/12 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

HB91 Higher educational institutions; possession of concealed handguns by faculty members.

Chief Patron: Marshall, R.G.

Summary:

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

Status:

12/27/11 House: Referred to Committee on Education

01/13/12 House: Assigned Education sub: Higher Education and Arts

01/17/12 House: Subcommittee recommends referring to Committee on Militia, Police and Public Safety

01/18/12 House: Referred from Education

01/18/12 House: Referred to Committee on Militia, Police and Public Safety

HB112 Executive budget; submission of budget using zero-based budgeting principles.

Chief Patron: Bell, Richard P.

Summary:

Requires, beginning in the 2014-2016 biennium, "The Executive Budget," and all "Executive Budgets" shall be prepared and formulated using zero-based budgeting principles. The bill provides that such zero-based budgets shall reflect the amount of funding deemed necessary to achieve the most cost-effective performance of each agency or department pursuant to an accompanying narrative delineating the tasks to be performed by each agency or department, together with the goals and objectives for each agency or department. Each such budget shall have a zero dollar amount as its initial basis and shall not reflect any prior appropriation amount, adjusted or otherwise.

Status:

12/30/11 House: Prefiled and ordered printed; offered 01/11/12 12101797D

12/30/11 House: Referred to Committee on Appropriations

01/12/12 House: Impact statement from DPB (HB112)

01/16/12 House: Assigned App. sub: Technology Oversight & Government Activities

HB124 Plastic bags; imposes a tax of 20 cents on those used by purchasers.

Chief Patron: Morrissey

Summary:

Imposes a tax of 20 cents (\$0.20) on plastic bags used by purchasers to carry tangible personal property purchased in grocery stores, convenience stores, or drug stores. 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 five cents (\$0.05) of the 20-cent (\$0.20) tax or seven cents (\$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:

01/04/12 House: Prefiled and ordered printed; offered 01/11/12 12102554D

01/04/12 House: Referred to Committee on Finance

01/12/12 House: Assigned Finance sub: Subcommittee #3

01/19/12 House: Impact statement from TAX (HB124)

01/20/12 House: Subcommittee recommends laying on the table

HB139 Concealed handguns; persons who may lawfully carry hidden from common observation, penalty.

Chief Patron: Cole

Summary:

Provides that any person who may lawfully possess a firearm in Virginia may carry it hidden from common observation. The bill retains the procedures to obtain a permit that authorizes a person to carry a concealed handgun for those who wish to carry a concealed handgun in other states with reciprocal agreements with the Commonwealth. The bill creates Class 1 misdemeanors for carrying concealed handguns during the commission of certain drug-related crimes and makes carrying a concealed handgun during the commission of certain felonies a separate felony. This bill contains technical amendments.

Status:

01/04/12 House: Prefiled and ordered printed; offered 01/11/12 12100644D

01/04/12 House: Referred to Committee on Militia, Police and Public Safety

01/11/12 House: Impact statement from VCSC (HB139)

01/23/12 House: Impact statement from DPB (HB139)

HB151 Higher Education, State Council of; development of uniform lower division curriculum.

Chief Patron: Bell, Richard P.

Summary:

Requires the State Council of Higher Education to develop a uniform lower division curriculum consisting of no more than 60 credit hours. The curriculum shall be uniform across all public institutions of higher education and shall specify the lower division courses, and the number thereof, satisfying the requirements, prerequisites, and electives for each program major, including those for general education. The completion of the uniform lower division curriculum at a community college shall be transferable to any public institution of higher education. The bill also requires the Council to set a uniform number of credit hours to be required for each bachelor's degree offered in a public institution of higher education.

Status:

01/05/12 House: Prefiled and ordered printed; offered 01/11/12 12101811D

01/05/12 House: Referred to Committee on Education

01/13/12 House: Assigned Education sub: Higher Education and Arts

01/24/12 House: Subcommittee recommends laying on the table

HB191 Small businesses; tax credit for those hiring graduates of Virginia's colleges.

Chief Patron: Herring

Summary:

Creates, beginning January 1, 2012, an individual and corporate income tax credit for certain small businesses creating new full-time jobs that are filled by persons holding associate's or bachelor's degrees from in-state institutions of higher education. The credit would equal \$2,500 for each such new full-time job. The credit would be claimed for the taxable year at which time the new full-time job was continuously filled for at least 12 months. Any unused credit would be allowed to be carried over for five taxable years. The tax credit would sunset in 2014.

Status:

01/09/12 House: Prefiled and ordered printed; offered 01/11/12 12102260D

01/09/12 House: Referred to Committee on Finance

01/12/12 House: Assigned Finance sub: Subcommittee #3

HB195 Higher educational institutions; course credit for military service.

Chief Patron: Lewis

Summary:

Requires the governing boards of each public institution of higher education to implement policies that award academic credit to students for educational experience gained from military service.

Status:

01/26/12 House: Reconsideration of passage agreed to by House

01/26/12 House: Passed House BLOCK VOTE (100-Y 0-N)

01/26/12 House: VOTE: PASSAGE #2 (100-Y 0-N)

01/27/12 Senate: Constitutional reading dispensed

01/27/12 Senate: Referred to Committee on Education and Health

HB261 Abortion; ultrasound required prior to undergoing procedure.

Chief Patron: Cole

Summary:

Requires every pregnant female to undergo a limited ultrasound examination prior to undergoing an abortion procedure. The bill also requires the Department of Health to compile information on facilities that perform free ultrasound services.

Status:

01/10/12 House: Prefiled and ordered printed; offered 01/11/12 12102061D

01/10/12 House: Referred to Committee for Courts of Justice

01/13/12 House: Assigned Courts sub: Criminal

01/18/12 House: Impact statement from DPB (HB261)

HB266 Surgery; definition and who may perform.

Companion Bill: SB543

Chief Patron: Peace

Summary:

Defines "surgery" and provides that no person other than a licensed doctor of medicine, osteopathy, or dentistry, a licensed nurse practitioner, or a person who is acting pursuant to the orders and under the appropriate supervision of a licensed doctor of medicine, osteopathy, or dentistry shall perform surgery.

Status:

01/26/12 House: Read second time

01/26/12 House: Committee substitute agreed to 12104434D-H1

01/26/12 House: Engrossed by House - committee substitute HB266H1

01/27/12 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)

01/27/12 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

HB331 Obscenity; modifies educational, artistic, and theatrical exemption to obscenity laws.

Chief Patron: Villanueva

Summary:

Modifies the educational, artistic, and theatrical exemption to obscenity laws by providing that certain crimes (child pornography and use of communications systems to facilitate certain offenses involving children) are not subject to the exemption.

Status:

01/10/12 House: Prefiled and ordered printed; offered 01/11/12 12102924D

01/10/12 House: Referred to Committee for Courts of Justice

01/11/12 House: Impact statement from VCSC (HB331)

01/13/12 House: Assigned Courts sub: Criminal

01/16/12 House: Subcommittee recommends reporting (8-Y 1-N)

HB339 Budget development; each state agency to submit a prioritized list of its programs to Governor.

Chief Patron: Wilt

Summary:

Requires each state agency during budget development to submit to the Governor a numerically prioritized list of the programs performed by the state agency that have as a primary objective the delivering of certain goods or services to the citizens of the Commonwealth. Priority ordering would be determined by the extent to which the program is essential to the mission of the agency and the citizens of the Commonwealth. The Department of Planning and Budget would provide the list to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance.

Status:

01/10/12 House: Prefiled and ordered printed; offered 01/11/12 12103265D

01/10/12 House: Referred to Committee on Appropriations

01/16/12 House: Assigned App. sub: Technology Oversight & Government Activities

01/16/12 House: Impact statement from DPB (HB339)

HB443 Debt collection practices; penalty.

Chief Patron: Brink

Summary:

Prohibits debt collectors from engaging in certain types of conduct when attempting to collect personal, family, and household debts, and requires debt collectors to comply with certain requirements when contacting a debtor, as is currently prohibited or required by the federal Fair Debt Collection Practices Act. A violation constitutes a prohibited practice under the Virginia Consumer Protection Act. Provisions currently requiring persons to comply with the federal Fair Debt Collection Practices Act are amended to require compliance with this counterpart state law.

Status:

01/10/12 House: Prefiled and ordered printed; offered 01/11/12 12100573D

01/10/12 House: Referred to Committee on Commerce and Labor

01/13/12 House: Assigned C & L sub: #2

HB444 Public Procurement Act; certain payments under state plan for medical assistance services exempted.

Chief Patron: Toscano

Summary:

Exempts payments to providers of medical assistance services from the prompt payment provisions of the Virginia Public Procurement Act in cases in which the Department of Medical Assistance Services (DMAS) has initiated an investigation for fraud or abuse or a review of the claim for medical necessity.

Status:

01/10/12 House: Prefiled and ordered printed; offered 01/11/12 12103557D

01/10/12 House: Referred to Committee on General Laws

01/19/12 House: Stricken from docket by General Laws

HB462 Abortion; informed consent, shall undergo ultrasound imaging.

Companion Bill: SB484

Chief Patron: Byron

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. The medical professional performing the ultrasound must obtain written certification from the woman that the opportunity was offered and whether the woman availed herself of the opportunity to see the ultrasound image or hear the fetal heartbeat. A copy of the ultrasound and the written certification shall be maintained in the woman's medical records at the facility where the abortion is to be performed.

Status:

01/10/12 House: Prefiled and ordered printed; offered 01/11/12 12102882D

01/10/12 House: Referred to Committee for Courts of Justice

01/13/12 House: Assigned Courts sub: Criminal

01/18/12 House: Impact statement from DPB (HB462)

HB474 Higher educational institutions; employee salaries from state funds.

Chief Patron: Albo

Summary:

Provides that the governing bodies of the public institutions of higher education shall not pay an employee a salary from state funds that is greater than 125 percent of the salary of the Governor of the Commonwealth.

Status:

01/10/12 House: Prefiled and ordered printed; offered 01/11/12 12103748D

01/10/12 House: Referred to Committee on Education

01/13/12 House: Assigned Education sub: Higher Education and Arts

01/17/12 House: Subcommittee recommends striking from docket

HB486 VRS; certain higher educational institution employees in optional retirement plan.

Chief Patron: Ware, O.

Summary:

Provides employees in the optional retirement plan for institutions of higher education the opportunity to purchase service credit in the defined benefit plan with accrued contributions and earnings, and thereafter be covered under the defined benefit plan.

Status:

01/10/12 House: Prefiled and ordered printed; offered 01/11/12 12102886D

01/10/12 House: Referred to Committee on Appropriations

01/16/12 House: Assigned App. sub: Compensation and Retirement

01/20/12 House: Impact statement from VRS (HB486)

HB520 State Inspector General, Office of; performance review of state agencies.

Companion Bill: SB677

Chief Patron: Farrell

Summary:

Requires that the Office of the State Inspector General conduct a performance review of each executive branch agency at least every four years. The effective date of the bill is July 1, 2014.

Status:

01/10/12 House: Prefiled and ordered printed; offered 01/11/12 12101766D

01/10/12 House: Referred to Committee on General Laws

01/25/12 House: Impact statement from DPB (HB520)

HB611 Competitive Government Act; Governor requires commercial activity procured from private sector.

Chief Patron: LeMunyon

Summary:

Requires the Governor to require any commercial activity performed by an agency or institution of the Commonwealth to be procured from the private sector, except where there is neither a reduction in cost nor other measurable benefit to the Commonwealth. The bill also requires these commercial activities to be posted on the Governor's website and published in the Virginia Register, and to provide an opportunity for public comment.

Status:

01/10/12 House: Prefiled and ordered printed; offered 01/11/12 12103415D

01/10/12 House: Referred to Committee on General Laws

01/19/12 House: Impact statement from DPB (HB611)

01/27/12 House: Assigned GL sub: #2 FOIA/Procurement

HB613 Public employment; prohibits discrimination.

Chief Patron: LeMunyon

Summary:

Prohibits discrimination in public employment based on race, color, religion, political affiliation, national origin, sex, age, disability, or any other reason except reasons related to qualifications, ability, or performance. The bill contains technical amendments.

Status:

01/10/12 House: Prefiled and ordered printed; offered 01/11/12 12101791D

01/10/12 House: Referred to Committee on General Laws

01/26/12 House: Impact statement from DPB (HB613)

HB629 University of Virginia; increases size of board of visitors.

Chief Patron: Massie

Summary:

Increases the size of the board of visitors from 16 to 17, of whom (i) at least 12 shall be appointed from the Commonwealth at large, (ii) at least 12 shall be alumni of the University of Virginia, and (iii) at least one shall be a physician with administrative and clinical experience in an academic medical center.

Status:

01/23/12 House: Read third time and passed House (92-Y 7-N)

01/23/12 House: VOTE: PASSAGE (92-Y 7-N)

01/24/12 Senate: Constitutional reading dispensed

01/24/12 Senate: Referred to Committee on Education and Health

01/25/12 House: Impact statement from DPB (HB629)

HB638 Judicial authorization of treatment; advance directives.

Companion Bill: SB371

Chief Patron: Stolle

Summary:

Provides that a court authorizing medical treatment for an incapacitated person must do so in conformity with the terms of the person's advance directive. The bill also provides that a court can authorize such treatment for an incapacitated person, despite the existence of an advance directive, where the person authorized to make medical decisions under the advance directive for the incapacitated person refuses or is unable to act or cannot be contacted within a reasonable period of time in light of the immediacy of the need for treatment. The bill also authorizes restraint or transportation of an incapacitated person if necessary for treating a mental disorder or a person subject to an order of involuntary admission.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12103500D

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

01/16/12 House: Assigned Courts sub: #5 Mental Health

HB639 Higher educational institutions; publication of graduate employment rates.

Chief Patron: Stolle

Summary:

Requires public and private nonprofit institutions of higher education to publish data on the proportion of graduates with employment at 18 months and five years after the date of graduation. The data shall provide the rate of employment, percentage of employment in the Commonwealth, whether such employment is full time or part time, average salary, major and degree program, and average higher education-related debt of graduates.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12103676D

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

01/18/12 House: Assigned Education sub: Higher Education and Arts

01/24/12 House: Subcommittee recommends reporting with amendment(s) (5-Y 1-N)

01/26/12 House: Impact statement from DPB (HB639)

HB692 Public employment; prohibits discrimination based on sexual orientation, race, etc.

Chief Patron: Plum

Summary:

Prohibits discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, political affiliation, age, marital status, disability, sexual orientation, or status as a veteran. The bill contains technical amendments.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12102301D

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

01/26/12 House: Impact statement from DPB (HB692)

HB694 Virginia Human Rights Act; policy of State.

Chief Patron: Plum

Summary:

Adds sexual orientation and gender identity to the safeguards for all individuals in the Commonwealth from unlawful discrimination. The bill defines sexual orientation and gender identity.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12102304D

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

01/25/12 House: Impact statement from DPB (HB694)

HB697 Higher educational institutions; mental health policies.

Chief Patron: Filler-Corn

Summary:

Requires the governing boards of each public institution of higher education to develop and implement a policy requesting each student to identify points of contact to be notified should the student experience a mental health crisis while attending the institution. The policy may require the student to waive any privacy or confidentiality privilege

granted to him under law and related to mental health care if a crisis were to arise and the points of contact were to be notified.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12102618D

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

01/18/12 House: Assigned Education sub: Higher Education and Arts

HB701 Campus police; report of certain incidents to local law-enforcement agency.

Chief Patron: Filler-Corn

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 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:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12101616D

01/11/12 House: Referred to Committee on Militia, Police and Public Safety

HB709 Motor vehicle insurance; medical expense benefits, assignments.

Companion Bill: SB516

Chief Patron: Kilgore

Summary:

Invalidates assignments of medical expenses benefits provided under a motor vehicle liability insurance policy. Medical expense benefits due to a covered injured person may be paid directly to a state or federal assistance program that provided benefits to such injured person that arose out of the ownership, maintenance, or use of a motor vehicle. The measure also provides that medical expense benefits may not be reduced because of any benefits paid, payable, or provided by a health insurance policy.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12103259D

01/11/12 House: Referred to Committee on Commerce and Labor

01/23/12 House: Impact statement from SCC (HB709)

01/24/12 House: Continued to 2013 in Commerce and Labor

HB733 Pharmacists; compounding authority.

Chief Patron: Jones

Summary:

Increases pharmacists' authority to compound to allow the compounding of (i) a commercially manufactured drug whose manufacturer has notified the FDA that the drug is unavailable due to a current drug shortage, or (ii) a commercially manufactured drug when the prescriber has indicated in the prescription for an individual patient that there is an emergent need for a drug that is not readily available.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12101359D
01/11/12 House: Referred to Committee on Health, Welfare and Institutions
01/17/12 House: Impact statement from DPB (HB733)
01/18/12 House: Assigned HWI sub: #3
01/26/12 House: Subcommittee recommends reporting with amendment(s) (4-Y 0-N)

HB737 Modeling and Simulation Advisory Council; increases membership.

Chief Patron: Jones

Summary:

Adds to the Modeling and Simulation Advisory Council two citizen members representing Virginia universities with modeling and simulation capabilities.

Status:

01/11/12 House: Referred to Committee on Science and Technology
01/23/12 House: Impact statement from DPB (HB737)
01/25/12 House: Reported from Science and Technology (22-Y 0-N)
01/26/12 House: Read first time
01/27/12 House: Read second time and engrossed

HB764 Higher educational institutions; indemnification agreements.

Chief Patron: Peace

Summary:

Provides that no Virginia public institution of higher education shall be authorized to enter into an indemnification agreement to indemnify any person or entity against damages arising from a sponsored project conducted by such institution. The bill contains technical amendments.

Status:

01/11/12 House: Referred to Committee on Education
01/17/12 House: Impact statement from DPB (HB764)
01/18/12 House: Referred from Education
01/18/12 House: Referred to Committee on General Laws
01/27/12 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

HB771 Campus police officers; included in definition of law-enforcement officers.

Chief Patron: Landes

Summary:

Provides that campus police officers, as appointed by public and private institutions of higher education, are included within the definition of law-enforcement officer.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12100761D
01/11/12 House: Referred to Committee on Militia, Police and Public Safety

01/12/12 House: Impact statement from VCSC (HB771)

01/18/12 House: Assigned MPPS sub: #3

HB815 University of Virginia; university-related foundation funds used in relation to FOIA.

Chief Patron: Marshall, R.G.

Summary:

Provides that if the University of Virginia uses funds from one of its affiliated foundations to pay for costs incurred by the University in relation to the enforcement of the Virginia Freedom of Information Act, the foundation shall provide a list of its donors for the prior three years to the University. The University shall disclose this list to any party upon request and shall make no attempt to withhold it.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12101175D

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

HB816 Freedom of Information Act; university-related foundation funds.

Chief Patron: Marshall, R.G.

Summary:

Provides that if a Virginia college or university uses funds from one of its affiliated foundations to pay for costs incurred by the college or university in relation to the enforcement of the Virginia Freedom of Information Act, the foundation shall provide a list of its donors for the prior three years to the college or university. The college or university shall disclose this list to any party upon request and shall make no attempt to withhold it.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12101174D

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

HB817 FOIA; use of general fund appropriations by colleges or universities.

Chief Patron: Marshall, R.G.

Summary:

Provides that a Virginia college or university may only use funds appropriated to it from general fund revenues, and not from any other source, to pay for any costs incurred by the college or university in relation to the enforcement of the Virginia Freedom of Information Act.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12100438D

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

HB818 Freedom of Information Act; use of general fund appropriations.

Chief Patron: Marshall, R.G.

Summary:

Provides that the University of Virginia may only use funds appropriated to it from general fund revenues, and not from any other source, to pay for any costs incurred by the University in relation to the enforcement of the Virginia

Freedom of Information Act.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12100439D

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

HB852 Student records; colleges may require mental health records from all schools attended.

Chief Patron: Yost

Summary:

Clarifies that an institution of higher education may require that any accepted student provide a complete student record, including any mental health record, from not only his high school but also any other institution of higher education.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12100749D

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

01/18/12 House: Assigned Education sub: Higher Education and Arts

HB918 Medicaid; appeals of agency determinations. Regarding overpayments.

Companion Bill: SB426

Chief Patron: Minchew

Summary:

Provides that all recommended or final case decisions in administrative hearings regarding Medicaid overpayments shall be made in accordance with the Administrative Process Act, shall be based on the whole evidentiary record, and shall be limited to a determination of whether the Director's initial decision was within the scope of his statutory or legal authority. The bill also provides that no recommended or final case decision shall be based on principles of contract law or equity.

Status:

01/18/12 House: Assigned HWI sub: #4

01/18/12 House: Impact statement from DPB (HB918)

01/24/12 House: Referred from Health, Welfare and Institutions

01/24/12 House: Referred to Committee for Courts of Justice

01/24/12 House: Assigned Courts sub: #2 Civil

HB949 Virginia Retirement System (VRS); optional defined contribution retirement plan for state employees.

Chief Patron: Bell, Robert B.

Summary:

Establishes an optional defined contribution retirement plan that state employees may elect to join in lieu of the defined benefit retirement plan.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12101124D

01/11/12 House: Referred to Committee on Appropriations
01/16/12 House: Assigned App. sub: Compensation and Retirement
01/25/12 House: Impact statement from VRS (HB949)

HB965 Campus police; Mutual Aid Agreements (MAAs) with local law-enforcement agencies.

Companion Bill: SB302

Chief Patron: Bell, Robert B.

Summary:

Requires campus police to enter into mutual aid agreements with a local law-enforcement agency or the State Police for cooperation in providing assistance with the investigation of deaths and alleged rapes occurring on college campuses.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12102961D
01/11/12 House: Referred to Committee on Militia, Police and Public Safety

HB993 Homestead exemption; increases if householder is 65 years of age or older.

Chief Patron: Robinson

Summary:

Raises the homestead exemption from \$5,000 to (i) \$25,000, (ii) 20 percent of the property's tax-assessed value, or (iii) 40 percent of the property's tax-assessed value if the householder is 65 years of age or older. The bill requires that the real or personal property subject to the exemption be claimed as the householder's homestead.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12102491D
01/11/12 House: Referred to Committee for Courts of Justice
01/17/12 House: Assigned Courts sub: #2 Civil
01/25/12 House: Subcommittee recommends laying on the table

HB1004 Tuition; higher educational institutions to determine undergraduate out-of-state charges.

Chief Patron: Ramadan

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 at each such institution based on competitive market rates, provided that the tuition and fee rates for nonresident undergraduate students are at least 100 percent of the average cost of education at that institution.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12103935D
01/11/12 House: Referred to Committee on Education
01/18/12 House: Assigned Education sub: Higher Education and Arts
01/24/12 House: Subcommittee recommends laying on the table

HB1031 Advanced placement tests; course credit.

Chief Patron: Englin

Summary:

Requires that all public institutions of higher education grant course credit to any student who earns a three or higher on an Advanced Placement examination or a comparable score for courses in the International Baccalaureate or Cambridge Advanced (A/AS) programs. An institution may require, however, that a score of four or higher is needed to apply such course credit toward curriculum degree requirements rather than elective courses.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12100300D

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

01/18/12 House: Assigned Education sub: Higher Education and Arts

01/24/12 House: Subcommittee recommends laying on the table

HB1049 Income tax, state; tax credit for taxpayers employing persons in STEM internship positions.

Chief Patron: Anderson

Summary:

Establishes an individual and corporate income tax credit for taxpayers employing persons in STEM internship positions in the Commonwealth. The bill requires the intern to have an associate's or bachelor's degree in a STEM discipline or to be a graduate of a STEM trade school. In addition, the person's STEM internship with the taxpayer must be for a definite period that does not exceed 12 months. Taxpayers hiring STEM interns would be eligible for a tax credit equal to 25 percent of the wages or salary paid to the intern. Taxpayers would apply to the Department of Taxation for the tax credit. The Department would issue tax credits by providing a written certification to the taxpayer that reports the amount of tax credit that may be claimed. The Department would not be allowed to issue more than \$2 million in tax credits during any fiscal year. The Department would be allowed to issue tax credits only for fiscal years 2013 through 2017.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12100302D

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

HB1075 Hospital discharge of certain minors; information on services available.

Companion Bill: SB201

Chief Patron: Hugo

Summary:

Requires hospitals to provide information on available alcohol and substance abuse services to minors who present with alcohol poisoning or a drug overdose. The bill requires hospitals to seek consent to have the local community services board or behavioral health authority follow up with the patient.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12101350D

01/11/12 House: Referred to Committee on Health, Welfare and Institutions

01/18/12 House: Assigned HWI sub: #3

01/19/12 House: Impact statement from DPB (HB1075)

01/26/12 House: Subcommittee recommends reporting with amendment(s) (5-Y 0-N)

HB1083 In-state students; admission at certain higher educational institutions.

Chief Patron: Hugo

Summary:

Provides that the board of visitors or other governing body of each public institution of higher education, except for 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:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12100638D

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

01/18/12 House: Assigned Education sub: Higher Education and Arts

HB1093 Garnishment; garnishee shall pay money on behalf of judgment debtor directly to judgment creditor.

Chief Patron: Herring

Summary:

Provides that the garnishee shall pay any money or other property held on behalf of a judgment debtor directly to the judgment creditor or the judgment creditor's attorney instead of to the court, which is current practice. The judgment creditor or his attorney shall mail a statement to the garnishee and the judgment debtor for each month in which money or other property is paid to the judgment creditor on the judgment debtor's behalf setting forth how much was paid and how it was applied to the debt. The bill also allows the court to fix the return date for the garnishment summons. Currently, the summons is returnable within 90 days or 180 days in the case of a wage garnishment. The bill also provides that subsequent garnishments based on the same judgment are considered to be a continuation of the original garnishment proceeding and not a new action.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12103230D

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

01/17/12 House: Assigned Courts sub: #2 Civil

HB1124 Capital outlay plan; projects to be funded from general fund-supported resources.

Companion Bill: SB535

Chief Patron: Putney

Summary:

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

Status:

01/11/12 House: Presented and ordered printed 12103178D

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

01/18/12 House: Assigned App. sub: Capital Outlay

HB1130 Virginia Retirement System; new optional hybrid retirement plan created.

Chief Patron: Howell, W.J.

Summary:

Creates a new optional hybrid retirement plan with a defined benefit retirement plan component and a defined contribution retirement plan component for all state employees except judges and employees currently eligible for optional retirement plans. The plan will be available beginning January 1, 2014.

The defined benefit component has a multiplier of 1.0 and a required employee contribution of 4%, and the employer's contribution is actuarially determined using the same methodology used for the current defined benefit retirement plan. The defined contribution component includes a required employee contribution of 2% and a corresponding mandatory contribution from the employer of 1%, with optional additional employee contributions of up to 4% which could be matched by another 2.5 % from the employer. Maximum contributions to the defined contribution plan are 6% from the employee and 3.5% from the employer, for a total of 9.5%.

If a current employee elects to participate in the new plan, his accrued service in the defined benefit plan at the time of his election would transfer with a multiplier of the defined benefit plan from which he is leaving, but his service thereafter would accrue with a 1.0 multiplier.

Status:

01/12/12 House: Presented and ordered printed 12104008D

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

01/16/12 House: Assigned App. sub: Compensation and Retirement

01/25/12 House: Impact statement from VRS (HB1130)

HB1162 Human embryos; research prohibited, penalty.

Chief Patron: Cline

Summary:

Prohibits nontherapeutic research that destroys a human embryo or subjects such embryo to substantial risk of injury or death; the bill also prohibits the use of any cells or tissues taken by destroying or harming a human embryo. This prohibition does not apply to in vitro fertilization or any diagnostic test which may assist in the future care of a child subjected to such tests as an embryo. A violation of the provisions of the bill is a Class 1 misdemeanor.

Status:

01/16/12 House: Presented and ordered printed 12104201D

01/16/12 House: Referred to Committee on Rules

01/23/12 House: Impact statement from DPB (HB1162)

HB1167 High Performance Buildings Act; created.

Companion Bill: SB160

Chief Patron: Jones

Summary:

Provides that any executive branch agency or institution entering the design phase for the construction of a new building greater than 5,000 gross square feet in size or the renovation of a building where the cost of the renovation exceeds 50 percent of the value of the building, shall conform to Virginia Energy Conservation and Environmental

Standards (VEES) and the building shall be designed, constructed, verified, and operated to comply with the high performance building certification program. The bill defines "VEES" and "high performance building certification program." The bill allows the Director of the Department of General Services to grant an exemption from this requirement due to impracticability.

Status:

01/17/12 House: Presented and ordered printed 12101003D

01/17/12 House: Referred to Committee on General Laws

01/20/12 House: Impact statement from DPB (HB1167)

01/27/12 House: Assigned GL sub: #2 FOIA/Procurement

HB1169 Workers' compensation; VWC shall retain jurisdiction over disputes regarding medical fees.

Chief Patron: Habeeb

Summary:

Provides that the Workers' Compensation Commission shall retain jurisdiction over disputes regarding, and claimants shall have standing to pursue payment of, charges for medical services regardless of whether bills for health care services have been paid by a source other than an employer, workers' compensation carrier, guaranty fund, or uninsured employer's fund.

Status:

01/17/12 House: Presented and ordered printed 12104091D

01/17/12 House: Referred to Committee on Commerce and Labor

01/19/12 House: Assigned C & L sub: #1

01/24/12 House: Impact statement from DPB (HB1169)

01/24/12 House: Subcommittee recommends reporting with amendment(s) (9-Y 1-N)

HB1182 Tobacco Indemnification and Community Revitalization Fund; uses.

Chief Patron: Cox, M.K.

Summary:

Allows the Tobacco Indemnification and Community Revitalization Fund to provide grants for scientific research performed at one of the Commonwealth's National Cancer Institute-designated research institutes designed to advance the treatment and prevention of cancers that directly impact the citizens of tobacco-dependent communities throughout the southside and southwest regions of the Commonwealth.

Status:

01/18/12 House: Presented and ordered printed 12102193D

01/18/12 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

01/23/12 House: Assigned ACNRsub: Agriculture

HB1203 Research & Technology Investment Advisory Committee; president and staff to administer.

Chief Patron: Dudenhefer

Summary:

Provides that the president and staff of the Center for Innovative Technology shall administer the Research and

Technology Investment Advisory Committee.

Status:

01/27/12 House: Committee amendment agreed to
01/27/12 House: Passed by temporarily
01/27/12 House: Engrossed by House as amended HB1203E
01/27/12 House: Printed as engrossed 12104162D-E
01/27/12 House: Impact statement from DPB (HB1203E)

HB1207 Higher education; right of students to assert objection to requirement of academic degree program.

Chief Patron: Pogge

Summary:

Provides that no public or private institution of higher learning may penalize or deny academic credit to a student because he refuses to perform academic coursework because it would force him to violate a sincerely held religious belief. The bill also provides that the State Council of Higher Education for Virginia shall not recognize any accrediting agency that takes any adverse action against an institution of higher learning that exempts students from academic coursework for such reason. The Attorney General or any student, prospective student, or former student aggrieved under the bill may bring a civil action against the institution of higher learning, the State Council of Higher Education for Virginia, or the relevant accrediting agency for damages, injunctive and declaratory relief, and any other relief authorized by law and may be entitled to reasonable attorney fees.

Status:

01/19/12 House: Presented and ordered printed 12103965D
01/19/12 House: Referred to Committee on Education
01/24/12 House: Assigned Education sub: Higher Education and Arts

HB1226 Higher educational institutions; regulation of firearms.

Chief Patron: Torian

Summary:

Provides that the board of visitors or other governing body of an educational institution has the power to establish rules and regulations for the possession or transportation of firearms or ammunition on property owned or operated by the institution.

Status:

01/19/12 House: Presented and ordered printed 12104147D
01/19/12 House: Referred to Committee on Militia, Police and Public Safety

HB1247 Higher educational institutions; governing body to ensure funds received are spent properly.

Chief Patron: Ramadan

Summary:

Requires the governing body of every public institution of higher education to ensure that all funds received from in-state undergraduate tuition and all funds received from the Commonwealth are dedicated to the purpose of undergraduate education and that 65 percent of such funds are dedicated to instructional expenses.

Status:

01/20/12 House: Presented and ordered printed 12103366D
01/20/12 House: Referred to Committee on Education
01/24/12 House: Assigned Education sub: Higher Education and Arts

HJ108 Higher educational institutions; JLARC to study cost efficiency and opportunities to reduce cost.

Chief Patron: Landes

Summary:

Directs the Joint Legislative Audit and Review Commission to study the cost efficiency of the Commonwealth's institutions of higher education and to identify opportunities to reduce the cost of public higher education in Virginia. This is a two-year study ending in November 2014.

Status:

01/11/12 House: Prefiled and ordered printed; offered 01/11/12 12100296D
01/11/12 House: Referred to Committee on Rules
01/20/12 House: Assigned Rules sub: Studies

HJ195 Celebrating the life of Betty Louise Jones Gilliam.

Chief Patron: Kilgore

Summary:

Celebrating the life of Betty Louise Jones Gilliam.

Status:

01/20/12 House: Engrossed by House
01/20/12 House: Agreed to by House
01/23/12 Senate: Received
01/23/12 Senate: Laid on Clerk's Desk
01/26/12 Senate: Agreed to by Senate

HR8 Commending the 2012 inductees into the Virginia Sports Hall of Fame.

Chief Patron: Joannou

Summary:

Commending the 2012 inductees into the Virginia Sports Hall of Fame.

Status:

01/16/12 House: Presented and laid on Speaker's table 12103690D
01/17/12 House: Introduced bill reprinted 12103690D
01/20/12 House: Engrossed by House
01/20/12 House: Agreed to by House by voice vote

SB29 Budget Bill.

Companion Bill: HB29

Chief Patron: Colgan

Summary:

Amending Chapter 890, 2011 Acts of Assembly.

Status:

12/19/11 Senate: Prefiled and ordered printed; offered 01/11/12 12103029D

12/19/11 Senate: Referred to Committee on Finance

SB30 Budget Bill.

Companion Bill: HB30

Chief Patron: Colgan

Summary:

Appropriations of the Budget submitted by the Governor of Virginia providing a portion of revenues for the two years ending respectively on the thirtieth day of June, 2013, and the thirtieth day of June, 2014.

Status:

12/19/11 Senate: Prefiled and ordered printed; offered 01/11/12 12103037D

12/19/11 Senate: Referred to Committee on Finance

SB104 Higher educational institutions; partial tuition waiver for dependent children of faculty.

Chief Patron: Edwards

Summary:

Requires public institutions of higher education to grant a 50 percent tuition waiver to dependent students of current full-time faculty members who have been employed full time by any one or more public Virginia colleges or universities for an aggregate period of at least seven years. The waiver would be valid at any public institution of higher education.

Status:

01/09/12 Senate: Prefiled and ordered printed; offered 01/11/12 12100593D

01/09/12 Senate: Referred to Committee on Education and Health

01/17/12 Senate: Assigned Education sub: Higher Education

01/26/12 Senate: Impact statement from DPB (SB104)

SB106 Physician assistants; use of fluoroscopy.

Chief Patron: Edwards

Summary:

Allows a licensed physician assistant who (i) is working under the supervision of a licensed doctor of medicine or osteopathy specializing in the field of radiology and (ii) has been trained in the proper use of equipment for the purpose of performing radiologic technology procedures to use fluoroscopy for guidance of diagnostic and therapeutic procedures. The bill requires the Board of Medicine to promulgate emergency regulations to implement the provisions of this bill.

Status:

01/09/12 Senate: Prefiled and ordered printed; offered 01/11/12 12101268D
01/09/12 Senate: Referred to Committee on Education and Health
01/18/12 Senate: Assigned Education sub: Health Licensing
01/20/12 Senate: Impact statement from DPB (SB106)

SB107 Freedom of Information Act; criminal investigative records.

Chief Patron: Edwards

Summary:

Amends the definition of "criminal investigative file" so that the exemption applies to records relating to active or ongoing investigations or prosecutions.

Status:

01/09/12 Senate: Prefiled and ordered printed; offered 01/11/12 12101238D
01/09/12 Senate: Referred to Committee on General Laws and Technology
01/24/12 Senate: Assigned GL&T sub: #1

SB160 Cost-Effective Public Buildings Act; created.

Companion Bill: HB1167

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, conform to Virginia Energy Conservation and Environmental Standards developed by the Department of General Services considering the U.S. Green Building Council (LEED) green building rating standard, the Green Building Initiative "Green Globes" building standard, and other appropriate requirements. 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:

01/23/12 Senate: Amendments by Senator Petersen agreed to
01/23/12 Senate: Engrossed by Senate as amended SB160E
01/23/12 Senate: Printed as engrossed 12103439D-E
01/24/12 Senate: Read third time and passed Senate (26-Y 14-N)
01/25/12 Senate: Impact statement from DPB (SB160E)

SB166 Homestead exemption; exemptions in bankruptcy petition, etc.

Chief Patron: Petersen

Summary:

Makes various changes to homestead exemptions, including providing that the official schedule of property claimed exempt filed with the United States Bankruptcy Court in a bankruptcy proceeding constitutes a sufficient writing to exempt such real and personal property from creditor process. Currently, the person claiming such an exemption must record a writing in the manner deeds are recorded where the person resides for personal property or where the real

property is located. The bill provides that a claim of exemption shall only be effective for seven years from the date the exemption is first claimed. The bill also provides that a householder may hold exempt from creditor process real or personal property that the householder or his dependent claims as a primary residence not exceeding \$25,000 in value. This exemption is in addition to the current \$5,000 (\$10,000 if the householder is 65 years of age or older) exemption allowed by law. The bill adds certain specific items of personal property to the list of what a debtor may hold exempt from creditor process.

The bill also repeals the provision that establishes that only the exemptions allowable under Virginia law, and not the exemptions specified in subsection (d) of § 522 of the Bankruptcy Reform Act, may be claimed in any bankruptcy proceeding. Currently, Virginia, as permitted by federal law, has opted out of the federal exemptions in favor of its own exemptions.

Status:

01/10/12 Senate: Prefiled and ordered printed; offered 01/11/12 12101423D

01/10/12 Senate: Referred to Committee for Courts of Justice

SB201 Hospital discharge of certain minors; information on services available.

Companion Bill: HB1075

Chief Patron: Marsden

Summary:

Requires hospitals to provide information on available alcohol and substance abuse services to minors who present with alcohol poisoning or a drug overdose. The bill also requires hospitals in such cases to seek consent to have the local community services board or behavioral health authority follow up with the patient.

Status:

01/10/12 Senate: Prefiled and ordered printed; offered 01/11/12 12101112D

01/10/12 Senate: Referred to Committee on Education and Health

01/17/12 Senate: Assigned Education sub: Health Care

01/19/12 Senate: Impact statement from DPB (SB201)

SB250 Small, women-owned, and minority-owned businesses; enhancement or remedial measures.

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:

01/23/12 Senate: Reported from General Laws and Technology (8-Y 7-N)

01/25/12 Senate: Constitutional reading dispensed (40-Y 0-N)

01/25/12 Senate: Impact statement from DPB (SB250)

01/26/12 Senate: Passed by for the day

01/27/12 Senate: Read second time and engrossed

SB263 Public employment; prohibits discrimination based on sexual orientation, race, etc.

Chief Patron: Ebbin

Summary:

Prohibits discrimination in public employment based on sexual orientation. 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 towards persons with whom sexual conduct would be illegal due to the age of the parties. The bill contains technical amendments. The bill also codifies existing prohibitions against discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill contains technical amendments.

Status:

01/10/12 Senate: Prefiled and ordered printed; offered 01/11/12 12102454D

01/10/12 Senate: Referred to Committee on General Laws and Technology

01/16/12 Senate: Impact statement from DPB (SB263)

SB279 Abortion; informed consent, shall undergo ultrasound imaging.

Chief Patron: Smith

Summary:

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

Status:

01/10/12 Senate: Prefiled and ordered printed; offered 01/11/12 12102369D

01/10/12 Senate: Referred to Committee on Education and Health

01/18/12 Senate: Impact statement from DPB (SB279)

01/26/12 Senate: Incorporated by Education and Health (SB484-Vogel) (15-Y 0-N)

SB302 Campus police, Mutual Aid Agreements; (MAAs) with local law-enforcement agencies.

Companion Bill: HB965

Chief Patron: Howell

Summary:

Requires campus police to enter into mutual aid agreements with a local law-enforcement agency or the State Police for cooperation in providing assistance with the investigation of deaths and alleged rapes occurring on college campuses.

Status:

01/10/12 Senate: Prefiled and ordered printed; offered 01/11/12 12102962D

01/10/12 Senate: Referred to Committee on Education and Health

01/17/12 Senate: Assigned Education sub: Higher Education

SB313 Surgical assistants and surgical technologists; licensure and certification by Board of Medicine.

Chief Patron: Blevins

Summary:

Requires surgical assistants to be licensed and surgical technologists to be certified by the Board of Medicine. The bill also grandfathers in surgical assistants and surgical technologists practicing at any time during the six months prior to July 1, 2012, and allows a 12-month grace period in order to meet licensure and certification requirements for those completing a training program between July 1, 2012, and July 1, 2013.

Status:

01/10/12 Senate: Prefiled and ordered printed; offered 01/11/12 12103511D

01/10/12 Senate: Referred to Committee on Education and Health

01/18/12 Senate: Assigned Education sub: Health Licensing

01/27/12 Senate: Impact statement from DPB (SB313)

SB324 Limitation on Administrative Actions Relating to Firearms Act; established.

Chief Patron: Carrico

Summary:

Establishes legislative preemption of any administrative action taken by an administrative body that has the direct or indirect effect of governing the purchase, possession, transfer, ownership, carrying, storage, or transporting of firearms, ammunition, or components or combination thereof, unless the administrative body has express statutory authority. Under the bill, any administrative action taken prior to July 1, 2012, having a direct or indirect effect of governing the purchase, possession, transfer, ownership, carrying, or transporting of firearms, ammunition, or components or combination thereof, other than those expressly authorized by statute, is invalid. The bill also requires administrative bodies to take appropriate action to bring any contrary administrative action into compliance.

Status:

01/10/12 Senate: Prefiled and ordered printed; offered 01/11/12 12103208D

01/10/12 Senate: Referred to Committee for Courts of Justice

01/18/12 Senate: Impact statement from DPB (SB324)

SB348 Agency Effectiveness Review Commission; established, report.

Chief Patron: McWaters

Summary:

Establishes the Agency Effectiveness Review Commission to review state agencies on a five-year cycle and advise the General Assembly on the efficiency and effectiveness of such agencies.

Status:

01/10/12 Senate: Prefiled and ordered printed; offered 01/11/12 12103353D

01/10/12 Senate: Referred to Committee on Rules

SB371 Judicial authorization of treatment; advance directives.

Companion Bill: HB638

Chief Patron: Barker

Summary:

Provides that a court authorizing medical treatment for an incapacitated person must do so in conformity with the terms of the person's advance directive. The bill also provides that a court can authorize such treatment for an incapacitated person, despite the existence of an advance directive, where the person authorized to make medical decisions under the advance directive for the incapacitated person refuses or is unable to act or cannot be contacted within a reasonable period of time in light of the immediacy of the need for treatment. The bill also authorizes restraint or transportation of an incapacitated person if necessary for treating a mental disorder or a person subject to an order of involuntary admission.

Status:

01/25/12 Senate: Committee substitute agreed to 12104346D-S1

01/25/12 Senate: Engrossed by Senate - committee substitute SB371S1

01/26/12 Senate: Read third time and passed Senate (38-Y 0-N)

01/26/12 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N)

01/26/12 Senate: Passed Senate (40-Y 0-N)

SB377 Construction projects using public funds; iron, steel, manufactured goods must be produced in USA.

Chief Patron: McEachin

Summary:

Prohibits use of state or local funds for construction projects, including any construction, alteration, maintenance or repair of a public building or public works project, unless all of the iron, steel, and manufactured goods, including equipment, used in the project are produced in the United States. Under the bill an exception to the requirement is provided if the administrative head of the contracting state agency determines in writing that (i) iron, steel, and relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality or (ii) inclusion of iron, steel, and manufactured goods produced in the United States will increase the costs of the overall project by more than 25 percent.

Status:

01/11/12 Senate: Prefiled and ordered printed; offered 01/11/12 12103760D

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

01/24/12 Senate: Assigned GL&T sub: #2

01/26/12 Senate: Impact statement from DPB (SB377)

SB426 Medicaid; appeals of agency determinations. Regarding overpayments.

Companion Bill: HB918

Chief Patron: Ruff

Summary:

Provides that all recommended or final case decisions in administrative hearings regarding Medicaid overpayments shall be made in accordance with the Administrative Process Act, shall be based on the whole evidentiary record, and shall be limited to a determination of whether the Director's initial decision was within the scope of his statutory or legal authority. The bill also provides that no recommended or final case decision shall be based on principles of contract law or equity.

Status:

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

01/18/12 Senate: Impact statement from DPB (SB426)

01/23/12 Senate: Assigned Education sub: Health Care

01/26/12 Senate: Rereferred from Education and Health (13-Y 0-N)

01/26/12 Senate: Rereferred to Courts of Justice

SB484 Abortion; informed consent.

Companion Bill: HB462

Chief Patron: Vogel

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. The medical professional performing the ultrasound must obtain written certification from the woman that the opportunity was offered and whether the woman availed herself of the opportunity to see the ultrasound image or hear the fetal heartbeat. A copy of the ultrasound and the written certification shall be maintained in the woman's medical records at the facility where the abortion is to be performed.

Status:

01/19/12 Senate: Impact statement from DPB (SB484)

01/26/12 Senate: Reported from Education and Health with substitute (8-Y 7-N)

01/26/12 Senate: Committee substitute printed 12104755D-S1

01/27/12 Senate: Incorporates SB279

01/27/12 Senate: Constitutional reading dispensed (39-Y 0-N)

SB498 Virginia Retirement System; optional defined contribution and defined benefit retirement program.

Chief Patron: Watkins

Summary:

Creates a new hybrid retirement program, administered by the Virginia Retirement System, that contains a defined contribution and a defined benefit component. All new state and local employees commencing employment on or after January 1, 2014 would make an irrevocable election to participate in the hybrid plan or the traditional retirement plan. Employees in-service on December 31, 2013 would be given the opportunity to make a one-time, irrevocable election to participate in the new hybrid program.

Status:

01/11/12 Senate: Prefiled and ordered printed; offered 01/11/12 12102731D

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

01/25/12 Senate: Impact statement from VRS (SB498)

SB516 Motor vehicle insurance; medical expense benefits, assignments.

Companion Bill: HB709

Chief Patron: Wagner

Summary:

Invalidates assignments of medical expenses benefits provided under a motor vehicle liability insurance policy. Medical expense benefits due to a covered injured person may be paid directly to a state or federal assistance program that provided benefits to such injured person that arose out of the ownership, maintenance, or use of a motor vehicle. The measure also provides that medical expense benefits may not be reduced because of any benefits paid, payable, or provided by a health insurance policy.

Status:

01/11/12 Senate: Prefiled and ordered printed; offered 01/11/12 12103118D

01/11/12 Senate: Referred to Committee on Commerce and Labor

01/23/12 Senate: Impact statement from SCC (SB516)

01/23/12 Senate: Continued to 2013 in Commerce and Labor (15-Y 0-N)

SB535 Capital outlay plan; projects to be funded from general fund-supported resources.

Companion Bill: HB1124

Chief Patron: Colgan

Summary:

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

Status:

01/12/12 Senate: Presented and ordered printed 12103182D

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

SB543 Surgery; definition and who may perform.

Companion Bill: HB266

Chief Patron: Martin

Summary:

Defines "surgery" and provides that no person other than a licensed doctor of medicine, osteopathy, or dentistry, a licensed nurse practitioner, or a person who is acting pursuant to the orders and under the appropriate supervision of a licensed doctor of medicine, osteopathy, or dentistry shall perform surgery.

Status:

01/13/12 Senate: Presented and ordered printed 12103024D

01/13/12 Senate: Referred to Committee on Education and Health

01/24/12 Senate: Impact statement from DPB (SB543)

SB544 Mammograms; information on breast density.

Companion Bill: HB83

Chief Patron: Edwards

Summary:

Requires the Board of Health to establish guidelines requiring all mammogram reports to include information on breast density. Such information shall inform patients with dense breast tissue, as determined by the physician, that supplementary screening tests may be beneficial, depending on individual risk factors.

Status:

01/13/12 Senate: Referred to Committee on Education and Health

01/23/12 Senate: Impact statement from DPB (SB544)

01/26/12 Senate: Reported from Education and Health with substitute (15-Y 0-N)

01/26/12 Senate: Committee substitute printed 12104781D-S1

01/27/12 Senate: Constitutional reading dispensed (39-Y 0-N)

SB579 Commonwealth Innovation Investment Fund; created.

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 2014, 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 2011, the baseline year.

Status:

01/18/12 Senate: Presented and ordered printed 12104189D

01/18/12 Senate: Referred to Committee on General Laws and Technology

01/28/12 Senate: Impact statement from TAX (SB579)

SB601 Public procurement; requirement that American iron, steel, etc., be used in public works projects.

Chief Patron: Saslaw

Summary:

Requires public contracts for the construction, reconstruction, alteration, repair, improvement, or maintenance of a public building or public works to contain a provision that the iron, steel, and manufactured goods used or supplied in the performance of the public contract or any subcontract are manufactured in the United States. This requirement does not apply if the requirement is inconsistent with the public interest, the products are not manufactured within the United States in sufficient and reasonably available quantities or with satisfactory quality, or using the products will increase the cost of the public contract by 25 percent or more. A person intentionally mislabeling or misrepresenting the origin of products will be ineligible to receive any other public contracts.

Status:

01/19/12 Senate: Presented and ordered printed 12101200D

01/19/12 Senate: Referred to Committee on General Laws and Technology

01/24/12 Senate: Assigned GL&T sub: #2

SB621 State-owned buildings; DGS to establish program requiring energy efficiency data.

Chief Patron: Petersen

Summary:

Provides for the Department of General Services to establish a program requiring an energy analysis of each state-owned building containing more than 50,000 square feet of usable space to identify opportunities for reduced energy use. By December 31, 2012, such buildings are required to obtain an energy efficiency score utilizing the Energy Star assessment and ratings program. The Energy Star score will be published on the Department's website and updated annually.

Status:

01/20/12 Senate: Presented and ordered printed 12104183D

01/20/12 Senate: Referred to Committee on General Laws and Technology

01/25/12 Senate: Impact statement from DPB (SB621)

SB624 Higher educational institutions; required to notify parents that student may be suicidal.

Chief Patron: Petersen

Summary:

Requires public institutions of higher education to notify parents any time the institution receives notification from any source that a student may be suicidal, to the extent permitted by the federal law.

Status:

01/20/12 Senate: Presented and ordered printed 12104180D

01/20/12 Senate: Referred to Committee on Education and Health

01/23/12 Senate: Assigned Education sub: Higher Education

SB650 Hospitals and physicians; processing health insurance claims.

Chief Patron: McEachin

Summary:

Requires any hospital or licensed physician who treats a patient who presents proof of health insurance providing coverage within the applicable provider network to process such patient's claims and provides that a patient is not be liable for any amount in excess of what would be owed if the claim was properly filed in such instances.

Status:

01/20/12 Senate: Presented and ordered printed 12103699D

01/20/12 Senate: Referred to Committee on Commerce and Labor

SB677 State Inspector General, Office of; performance review of state agencies.

Companion Bill: HB520

Chief Patron: Garrett

Summary:

Requires that the Office of the State Inspector General conduct a performance review of each executive branch agency at least every four years. The effective date of the bill is July 1, 2014.

Status:

01/24/12 Senate: Unanimous consent to introduce

01/24/12 Senate: Presented and ordered printed 12104305D

01/24/12 Senate: Referred to Committee on General Laws and Technology

01/25/12 Senate: Impact statement from DPB (SB677)

SJ82 Commending the 2012 inductees into the Virginia Sports Hall of Fame.

Chief Patron: Lucas

Summary:

Commending the 2012 inductees into the Virginia Sports Hall of Fame.

Status:

01/17/12 Senate: Agreed to by Senate by voice vote

01/17/12 House: Received

01/17/12 House: Laid on Speaker's table

01/18/12 House: Taken up for immediate consideration

01/18/12 House: Agreed to by House by voice vote