

Legislative Report
University of Virginia -- Office of State Governmental Relations
January 15, 2013

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HB1306 Federal Oversight, Commission on; established, report.

Chief Patron: Landes

Summary:

Creates the Commission on Federal Oversight, consisting of eight legislative members representing the House of Delegates and the Senate, to meet twice a year with the United States Senate members of the Virginia Congressional Delegation, and to communicate with Virginia's members of the United States House of Representatives, to address public policy issues for which both federal and state policy makers have responsibility. The Division of Legislative Services will provide staff support, and other state agencies will provide technical assistance upon request. The act establishing the Commission will not become effective unless an appropriation of funds effectuating the purpose of the act is included in the general appropriation act passed during the 2013 Regular Session of the General Assembly that becomes law.

Status:

08/15/12 House: Prefiled and ordered printed; offered 01/09/13 13100131D

08/15/12 House: Referred to Committee on Rules

HB1316 Sex-selective abortions; penalty.

Chief Patron: Marshall, R.G.

Summary:

Provides that a person who performs an abortion with knowledge that the abortion is sought solely and exclusively on account of the sex of the unborn child is guilty of a Class 4 felony. The bill also requires that the information that must be provided to a woman seeking an abortion prior to obtaining her informed written consent to the procedure shall include a statement that the physician would be committing a criminal offense if he performs an abortion solely on account of the sex of the unborn child.

Status:

10/03/12 House: Referred to Committee on Commerce and Labor

10/10/12 House: Impact statement from VCSC (HB1316)

01/07/13 House: Impact statement from DPB (HB1316)

01/10/13 House: Referred from Commerce and Labor

01/10/13 House: Referred to Committee for Courts of Justice

HB1362 Election Day; designating as a state holiday.

Chief Patron: Scott, J.M.

Summary:

Designates the Tuesday after the first Monday in November, i.e., Election Day, as a legal holiday.

Status:

12/04/12 House: Prefiled and ordered printed; offered 01/09/13 13101572D

12/04/12 House: Referred to Committee on Privileges and Elections

01/11/13 House: Assigned P & E sub: Campaign Finance Subcommittee

HB1368 Jury duty; requires employer to excuse an employee for each day of service that exceeds three hours.

Chief Patron: Scott, J.M.

Summary:

Requires employers, including the Commonwealth and localities, to excuse an employee from employment for each day the employee's service as a juror exceeds three hours. The requirement applies when an employee is summoned for jury duty in a federal or state court and provides his immediate supervisor, on the next working day after receiving the summons, with the original or a photocopy of the summons. With certain exceptions, the employee is entitled to his usual compensation for periods he is excused, though the employer may deduct any compensation the employee receives for the jury service. Employers may not discharge or discriminate against an employee for jury duty if the required notice was given. An employee who is discharged, demoted, or suspended in violation of these provisions may seek reinstatement and reimbursement for lost wages and benefits and recovery of attorney fees and court costs.

Status:

12/06/12 House: Prefiled and ordered printed; offered 01/09/13 13101575D

12/06/12 House: Referred to Committee on Commerce and Labor

01/10/13 House: Assigned C & L sub: #2

HB1372 Unemployment compensation; disqualification from benefits due to loss of license or certification.

Chief Patron: Head

Summary:

Provides that an individual is ineligible for unemployment benefits if he has been discharged because he lost or failed to renew a license or certification that is required for his job.

Status:

12/10/12 House: Prefiled and ordered printed; offered 01/09/13 13101584D

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

HB1381 Plastic bags; imposes \$0.05 tax beginning 7/1/14 on those used by purchasers to carry certain goods.

Companion Bill: SB970

Chief Patron: Morrissey

Summary:

Imposes a tax of five cents (\$0.05) beginning on July 1, 2014, 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 one cent (\$0.01) of the five-cent (\$0.05) tax or two cents (\$0.02) 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. The revenues from the tax would be deposited into the Virginia Water Quality Improvement Fund.

Status:

12/12/12 House: Prefiled and ordered printed; offered 01/09/13 13101393D

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

01/06/13 House: Impact statement from TAX (HB1381)

01/14/13 House: Assigned Finance sub: #1

HB1382 Unemployment compensation; disqualification from benefits due to loss of license or certification.

Chief Patron: Webert

Summary:

Provides that an individual is ineligible for unemployment benefits if he has been discharged because he lost or failed to renew a license or certification that is required for his job.

Status:

12/12/12 House: Prefiled and ordered printed; offered 01/09/13 13100615D

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

HB1389 Higher educational institutions; allocation of in-state undergraduate tuition and state funds.

Chief Patron: Ramadan

Summary:

Requires the board of visitors or other governing body of every public institution of higher education to ensure that all funds received from in-state undergraduate tuition are dedicated to the purpose of undergraduate education, that 65 percent of such funds are dedicated to undergraduate instructional expenses, and that 65 percent of all funds received from the Commonwealth for the education and general programs of instruction, academic support, student services, institutional support, and operation and maintenance of the physical plant are dedicated to undergraduate instructional expenses.

Status:

12/14/12 House: Prefiled and ordered printed; offered 01/09/13 13100526D

12/14/12 House: Referred to Committee on Education

01/11/13 House: Assigned Education sub: Higher Education and Arts

HB1407 Inmates; eligibility for medical assistance.

Chief Patron: Hope

Summary:

Provides that a person who is in the custody of a state or local correctional facility and who meets the criteria for eligibility for services under the state plan for medical assistance shall remain eligible for medical assistance while he is confined, but that no services under the state plan for medical assistance shall be furnished unless federal financial participation is available for the cost of the services provided. This bill also provides that such person shall be eligible for services under the state plan for medical assistance immediately upon release from a state or local correction facility and that, to the extent permitted by federal law, the time during which the person is confined to a state or local correction facility shall not be included in any calculation of when the person's eligibility for medical assistance shall need to be recertified.

Status:

12/18/12 House: Prefiled and ordered printed; offered 01/09/13 13100505D

12/18/12 House: Referred to Committee on Health, Welfare and Institutions

HB1469 Higher educational institutions; State Inspector General to conduct a comprehensive financial audit.

Chief Patron: Bell, Richard P.

Summary:

Directs the State Inspector General to conduct a comprehensive financial audit of Virginia's four-year public institutions of higher education, to be completed by July 1, 2015. The bill requires the State Inspector General to submit a report to the Governor and the General Assembly on or before October 15, 2015, detailing any findings or recommendations for improving the efficiency and fiscal practices of such four-year public institutions of higher education, including recommending changes in the law that are necessary to address such findings.

Status:

12/28/12 House: Prefiled and ordered printed; offered 01/09/13 13100459D

12/28/12 House: Referred to Committee on General Laws

HB1478 State Inspector General; powers and duties.

Chief Patron: Farrell

Summary:

Requires the State Inspector General, beginning July 1, 2014, to develop standard operating procedures and a schedule for performance reviews of executive branch agencies, which procedures shall include the nature, scope, timetable, and reporting mechanism for regularly scheduled performance reviews. The performance reviews shall (i) be conducted periodically to ascertain that sums appropriated have been or are being expended for the purposes for which the appropriation was made, (ii) evaluate the effectiveness of each agency program in accomplishing such purpose, and (iii) include any findings and recommendations for the improvement of efficiency of the agency.

Status:

01/02/13 House: Prefiled and ordered printed; offered 01/09/13 13100368D

01/02/13 House: Referred to Committee on General Laws

HB1496 Senior citizens; reduced tuition for attendance at higher educational institutions in State.

Chief Patron: Stolle

Summary:

Permits a senior citizen whose taxable income exceeded \$15,000 in the year preceding the year in which enrollment is sought to pay reduced tuition at a rate of 25 percent of the total cost for enrollment in courses as a full-time or part-time student for academic credit at a public institution of higher education in the Commonwealth if total student enrollment for the course or courses in which the senior citizen seeks enrollment has not reached 75 percent of the maximum course capacity as of the first day of the academic term. Current law waives tuition for senior citizens whose taxable income was \$15,000 or less in the year preceding the year in which enrollment is sought.

Status:

01/02/13 House: Prefiled and ordered printed; offered 01/09/13 13100808D

01/02/13 House: Referred to Committee on Appropriations

01/08/13 House: Assigned App. sub: Higher Education

HB1537 Student teachers & student teacher supervisors; fingerprinting, criminal history records check, etc.

Chief Patron: Yost

Summary:

Requires any student teacher at an accredited public or private institution of higher education, as a condition of participation in a classroom teaching, internship, clinical, or field experience in a public elementary or secondary school or a private elementary or secondary school in the Commonwealth, to submit to fingerprinting and a criminal history records check. The bill provides that the governing board of the institution of higher education, the local school board, or governing board of the private school may deny a student teacher or student teacher supervisor placement in an elementary or secondary school if the criminal history records check reveals that the student teacher or student teacher candidate has been convicted of a felony or Class 1 misdemeanor in the Commonwealth or an equivalent offense in another state. The bill further requires a student teacher or student teacher supervisor to provide the necessary personal information to conduct a search of the registry of founded complaints of child abuse and neglect in the Commonwealth and to obtain such information from other states if the student teacher has lived in another state in the past five years. The governing board of the institution of higher education, the local school board, or governing board of the private school may deny a student teacher or student teacher supervisor placement in an elementary or secondary school if he is the subject of a founded case of child abuse or neglect.

Status:

01/04/13 House: Prefiled and ordered printed; offered 01/09/13 13100802D

01/04/13 House: Referred to Committee on Education

01/11/13 House: Assigned Education sub: Teachers and Admin. Action

HB1560 Abortion; removes requirement that a woman undergo transabdominal ultrasound prior to procedure.

Chief Patron: Kory

Summary:

Removes the requirement that a woman undergo a transabdominal ultrasound prior to an abortion.

Status:

01/04/13 House: Prefiled and ordered printed; offered 01/09/13 13100407D

01/04/13 House: Referred to Committee for Courts of Justice

HB1584 Digital accounts and assets; enables a fiduciary to gain access.

Companion Bill: SB914

Chief Patron: Bulova

Summary:

Enables a fiduciary to gain access to the digital accounts and digital assets of the person or estate to whom he owes a fiduciary duty upon making a written request to the custodian of the digital accounts and digital assets and submitting proof of the fiduciary relationship.

Status:

01/04/13 House: Prefiled and ordered printed; offered 01/09/13 13102115D

01/04/13 House: Referred to Committee on Commerce and Labor

HB1591 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:

01/05/13 House: Prefiled and ordered printed; offered 01/09/13 13102851D

01/05/13 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

01/14/13 House: Assigned ACNRsub: Natural Resources

HB1605 Students; admission of those domiciled in State at 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 by the start of the 2018-2019 academic year, at least 75 percent of students admitted and enrolled at the institution are domiciled in Virginia.

Status:

01/06/13 House: Prefiled and ordered printed; offered 01/09/13 13100985D

01/06/13 House: Referred to Committee on Education

01/11/13 House: Assigned Education sub: Higher Education and Arts

HB1609 Higher education; mental health treatment coordination.

Chief Patron: Hugo

Summary:

Requires the governing board of each public four-year institution of higher education to establish a written memorandum of understanding with its local community services board or behavioral health authority and with local hospitals and other local mental health facilities in order to expand the scope of services available to students seeking treatment. The bill requires each public four-year institution of higher education to designate a contact person to be notified when a student is involuntarily committed, or when a student is discharged from a facility and he consents to such notification. The bill requires the memorandums to include the institution of higher education in the post-discharge planning of a student who has been committed and intends to return to campus, to the extent allowable under state and federal privacy laws.

Status:

01/06/13 House: Prefiled and ordered printed; offered 01/09/13 13101654D

01/06/13 House: Referred to Committee on Education

01/11/13 House: Assigned Education sub: Higher Education and Arts

HB1612 Workers' compensation; fee schedule for medical care services and prompt payment.

Chief Patron: Hugo

Summary:

Limits the pecuniary liability of an employer for medical, surgical, and hospital services provided on or after October 1, 2014, pursuant to the Virginia Workers' Compensation Act to the maximum amount that may be paid pursuant to fee schedules established by the Workers' Compensation Commission, unless a contract provides otherwise. The Workers' Compensation Commission is directed to promulgate regulations establishing medical care fee schedules governing all medical care services rendered pursuant to the Virginia Workers' Compensation Act. The schedules shall become effective on October 1, 2014. The bill requires the medical care fee schedule regulations to (i) be comprehensive in scope, (ii) be based on Medicare where applicable, (iii) utilize Medicare coding and reimbursement rules, and (iv) address fees of physicians and surgeons, hospitals, ancillary services provided by other health care facilities and providers, pharmacy and pharmaceutical services, and utilization review issues and procedures. The Commission is required to review the fee schedules annually and when appropriate revise them. The measure also requires an insurer or self-insured employer, effective October 1, 2014, to either pay a medical bill or deny payment of the bill within 60 days of receiving a bill and supporting medical documentation. If the Commission finds that the self-insured employer or insurer unreasonably denied payment for medical services, it shall order payment for the services with interest.

Status:

01/06/13 House: Prefiled and ordered printed; offered 01/09/13 13103135D

01/06/13 House: Referred to Committee on Commerce and Labor

01/14/13 House: Impact statement from DPB (HB1612)

HB1700 Students; admission of those domiciled in State at higher educational institutions.

Chief Patron: Comstock

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 by the start of the 2018-2019 academic year, at least 75 percent of students admitted and enrolled at the institution are domiciled in Virginia.

Status:

01/07/13 House: Prefiled and ordered printed; offered 01/09/13 13102829D

01/07/13 House: Referred to Committee on Education

01/11/13 House: Assigned Education sub: Higher Education and Arts

HB1741 Revised Uniform Anatomical Gift Act; organ removal and Virginia Transplant Council.

Chief Patron: Tata

Summary:

Requires any physician or technician performing the removal of donated tissue to have been approved as qualified by a tissue bank. Current law requires approval by LifeNet Health. The bill also authorizes membership on the Virginia Transplant Council to any organization accredited by the Association of Organ Procurement Organizations, the

American Association of Tissue Banks, or the Eye Bank Association of America that is directly involved in activities related to organ, tissue, or eye donation, procurement, or transplantation in Virginia.

Status:

01/08/13 House: Prefiled and ordered printed; offered 01/09/13 13102439D

01/08/13 House: Referred to Committee on Health, Welfare and Institutions

HB1777 Virginia Open Education Resources Council; established.

Chief Patron: Filler-Corn

Summary:

Establishes the Virginia Open Education Resources Council to (i) identify and acquire digital open source textbooks to be used in 50 undergraduate courses in public institutions of higher education in the Commonwealth and (ii) develop the Virginia Digital Open Source Textbook Library as the digital repository of such open source textbooks. The Council shall be staffed by one faculty member from each public institution of higher education in the Commonwealth.

Status:

01/08/13 House: Prefiled and ordered printed; offered 01/09/13 13101118D

01/08/13 House: Referred to Committee on Science and Technology

HB1790 Virginia Nuclear Energy Consortium.

Companion Bill: SB1138

Chief Patron: Garrett

Summary:

Establishes the Virginia Nuclear Energy Consortium Authority as a political subdivision of the Commonwealth for the purposes of making the Commonwealth a national and global leader in nuclear energy and serving as an interdisciplinary study, research, and information resource for the Commonwealth on nuclear energy issues. The 17-member board of directors of the Authority is directed to form a nonstock, nonprofit corporation, referred to as the Virginia Nuclear Energy Consortium. Membership in the Consortium is open to specified educational institutions, Virginia-based federal research laboratories, nuclear-related nonprofit organizations, business entities with operating facilities in Virginia that are engaged in activities directly related to the nuclear energy industry, and other persons whose membership is approved by the Consortium's board of directors. The purposes of the Consortium include carrying out the rights, powers, and duties of the Authority and conducting other activities useful in (i) making the Commonwealth a leader in nuclear energy, (ii) serving as an interdisciplinary study, research, and information resource for the Commonwealth on nuclear energy issues, and (iii) raising money on behalf of the Authority in the corporate and nonprofit community and from other nonstate sources.

Status:

01/08/13 House: Prefiled and ordered printed; offered 01/09/13 13103527D

01/08/13 House: Referred to Committee on Commerce and Labor

HB1812 Real property owned by the Commonwealth; local service charges.

Chief Patron: McQuinn

Summary:

Alters the provisions governing local service charges on property owned by the Commonwealth (i) by including the value of hospitals and educational institutions owned by the Commonwealth in calculating the threshold that must be met before a locality may impose the service charge (under current law, the value of property owned by the Commonwealth must exceed 3% of the total value of all real property in the locality) and (ii) by including emergency medical services in the services whose cost is used to determine the amount of the service charge.

Status:

01/08/13 House: Prefiled and ordered printed; offered 01/09/13 13102608D

01/08/13 House: Referred to Committee on Finance

01/14/13 House: Assigned Finance sub: #2

HB1845 Fraud and Abuse Whistle Blower Reward Fund; amount of reward.

Companion Bill: SB1178

Chief Patron: Loupassi

Summary:

Reduces the requirement for an award from the Fraud and Abuse Whistle Blower Reward Fund from \$10,000 to \$5,000 and expands the purposes for which the Fund may be used to include supporting the administration of the Fund, defraying Fund advertising costs, and subsidizing the operation of the Fraud, Waste and Abuse Hotline, all of which expenditure is capped at five percent of the Fund. The bill also (i) authorizes the State Inspector General to split a reward among multiple whistle blowers reporting the same qualifying incident of wrongdoing or abuse, (ii) requires that by the end of each calendar quarter 85 percent of all sums recovered shall be deposited into the general fund, (iii) requires the State Inspector General to submit an annual report to the General Assembly summarizing the activities of the Fund, and (vi) changes the name of the State Employee Fraud, Waste and Abuse Hotline to the Fraud, Waste and Abuse Hotline. The bill contains technical amendments.

Status:

01/08/13 House: Prefiled and ordered printed; offered 01/09/13 13101463D

01/08/13 House: Referred to Committee on General Laws

HB1856 Emergency medical services; procedures and practice.

Chief Patron: Orrock

Summary:

Requires the Board of Health to prescribe by regulation a statewide operating procedure for activities performed by emergency medical services personnel and agencies. The bill also prohibits operational medical directors from prohibiting an emergency medical services provider from practicing emergency medical services in the absence of remedial or corrective measures or suspension.

Status:

01/08/13 House: Prefiled and ordered printed; offered 01/09/13 13100939D

01/08/13 House: Referred to Committee on Health, Welfare and Institutions

01/14/13 House: Impact statement from DPB (HB1856)

HB1875 Boards of visitors and the State Board for Community Colleges; faculty member.

Chief Patron: McClellan

Summary:

Adds one faculty member to the board of visitors of each public institution of higher education and of the State Board for Community Colleges to be appointed by the other members of the board for a four-year term after election by the respective institution's faculty senate. The faculty member has voting privileges. Currently, each board of visitors and the State Board for Community Colleges may appoint one or more nonvoting advisory faculty members for a term of at least one year from a list of individuals elected by the respective institution's faculty senate. The bill contains technical amendments.

Status:

01/08/13 House: Prefiled and ordered printed; offered 01/09/13 13102024D

01/08/13 House: Referred to Committee on Education

01/11/13 House: Assigned Education sub: Higher Education and Arts

HB1881 University of Virginia Board of Visitors; composition.

Chief Patron: Morrissey

Summary:

Adds two members to the University of Virginia Board of Visitors: one member of the faculty senate, nominated by the faculty senate and approved by the remainder of the board, and one currently enrolled student, nominated by the dean of students and approved by the remainder of the board.

Status:

01/08/13 House: Prefiled and ordered printed; offered 01/09/13 13101742D

01/08/13 House: Referred to Committee on Education

01/11/13 House: Assigned Education sub: Higher Education and Arts

HB1890 General Services, Department of; standard vendor accounting information.

Chief Patron: LeMunyon

Summary:

Requires the Division of Purchases and Supply of the Department of General Services and the State Comptroller to adhere to the adopted data standards and match all purchases of goods, commodities, and other services to the related payment activity and make the matched information available on the Commonwealth Data Point pursuant to subdivision H 3 a of § 30-133. The bill requires that this information be available at a transactional level and be in sufficient detail to make clear what an agency has purchased, when the purchase was made, the vendor from whom the purchase is made, the amount purchased, if applicable, and how much was paid. To the extent the purchase is made from an entity of the Commonwealth, the smallest element of the selling Department or agency shall be specified. Purchases made using credit card or other financing arrangements shall specify the vendor. The bill further requires that by November 1, 2013, the Governor require either the Division or State Comptroller to modify its system or adopt a new system, as may be deemed necessary, to provide the matched purchase and payment data.

Status:

01/08/13 House: Prefiled and ordered printed; offered 01/09/13 13102126D

01/08/13 House: Referred to Committee on General Laws

01/14/13 House: Assigned GL sub: #2 FOIA/Procurement

HB1897 Cellular telephone or other electronic devices; warrant required for search.

Chief Patron: Carr

Summary:

Provides that no officer of the law or any other person shall search any cellular telephone, tablet computer, portable computer, desktop computer, or other electronic device containing or designed to contain electronic data or digital information except by virtue of and under a warrant issued by a proper officer.

Status:

01/08/13 House: Prefiled and ordered printed; offered 01/09/13 13103486D

01/08/13 House: Referred to Committee for Courts of Justice

HB1936 Minority Business Enterprises, Department of; changes definition of small business.

Chief Patron: Lopez

Summary:

Changes the definition of "small business" to be a business located in Virginia that meets the definition of a small business concern as defined in the federal Small Business Act (15 U.S.C. § 631 et seq.).

Status:

01/09/13 House: Prefiled and ordered printed; offered 01/09/13 13103347D

01/09/13 House: Referred to Committee on General Laws

01/14/13 House: Assigned GL sub: #2 FOIA/Procurement

HB1940 Faculty representatives to the State Board for Community Colleges, local community college boards,

Chief Patron: Landes

Summary:

Requires the State Board for Community Colleges, local community college boards, and boards of visitors of any four-year public institution of higher education to appoint one or more nonvoting, advisory faculty representatives to their respective boards. Current law permits, but does not require, such appointments. The bill removes the option for local community college boards and boards of visitors to choose faculty representatives from individuals elected by the institution's faculty. The bill further requires boards of visitors to choose nonvoting, advisory student representatives from individuals elected by the institution's student government.

Status:

01/09/13 House: Prefiled and ordered printed; offered 01/09/13 13100828D

01/09/13 House: Referred to Committee on Education

01/11/13 House: Assigned Education sub: Higher Education and Arts

HB1952 Boards of visitors of public institutions of higher education; public access to information.

Chief Patron: Landes

Summary:

Adds specific topics to be covered during the educational programs for governing boards and requires such programs to be delivered by the State Council of Higher Education annually. The bill also requires each board of visitors to adopt bylaws with certain provisions relating to the Freedom of Information Act; annually meet with the president of the institution to deliver a review of the president's performance; designate its executive committee to organize the working processes of the board and recommend best practices for board governance; and annually deliver an executive summary of its interim activities to the General Assembly and the Governor.

Status:

01/09/13 House: Prefiled and ordered printed; offered 01/09/13 13100387D

01/09/13 House: Referred to Committee on Education

01/11/13 House: Assigned Education sub: Higher Education and Arts

HB1976 Higher Education, Virginia Commission on; board appointments.

Companion Bill: SB1085

Chief Patron: Toscano

Summary:

Clarifies that the Virginia Commission on Higher Education Board Appointments is required to evaluate potential appointees to higher education governing boards and to make recommendations to the Governor. Currently, these actions are considered powers and duties of the Commission and the Commission only makes recommendations upon the request of the Governor. The bill also requires the Commission to consider each list of qualified persons submitted to the Governor by the alumni association of any public institution of higher education.

Status:

01/09/13 House: Prefiled and ordered printed; offered 01/09/13 13100786D

01/09/13 House: Referred to Committee on Education

01/11/13 House: Assigned Education sub: Higher Education and Arts

HB1978 University of Virginia; Board of Visitors, composition and quorum.

Companion Bill: SB1086

Chief Patron: Toscano

Summary:

Requires at least one member of the University of Virginia Board of Visitors to have administrative experience at an institution of higher education or have experience as a professor in the study of higher education. The bill also requires the board of visitors to appoint a faculty representative to serve in a nonvoting advisory capacity. The bill changes the number of board members that constitutes a quorum from five members to a majority of members. Finally, the bill removes the requirement that the vice-rector automatically succeeds the rector upon expiration of the rector's term.

Status:

01/09/13 House: Prefiled and ordered printed; offered 01/09/13 13101762D

01/09/13 House: Referred to Committee on Education

01/11/13 House: Assigned Education sub: Higher Education and Arts

01/14/13 House: Impact statement from DPB (HB1978)

HB2021 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 skills, knowledge, or ability. The bill contains technical amendments.

Status:

01/09/13 House: Prefiled and ordered printed; offered 01/09/13 13100163D

01/09/13 House: Referred to Committee on General Laws

HB2074 VITA; procurement of information technology and telecommunications by state agencies.

Companion Bill: SB1184

Chief Patron: Robinson

Summary:

Clarifies that all information technology and telecommunications goods and services of every description procured on behalf of state agencies may only be purchased by the Virginia Information Technologies Agency (VITA) and details VITA's role in all aspects of the procurement of such goods and services on behalf of state agencies. In addition, the bill provides that any contract for information technology or telecommunications goods or services entered into by a state agency or institution without written authorization from VITA shall be void and prohibits the Comptroller from issuing payment under any contract for information technology and telecommunications goods and services not approved or authorized by VITA.

Status:

01/09/13 House: Prefiled and ordered printed; offered 01/09/13 13103431D

01/09/13 House: Referred to Committee on Science and Technology

HB2075 Commonwealth Innovation and Entrepreneurship Measurement System; authorizes IEIA to create.

Chief Patron: Poindexter

Summary:

Authorizes the Innovation and Entrepreneurship Investment Authority to create the Commonwealth Innovation and Entrepreneurship Measurement System as a tool to measure areas within the Commonwealth worthy of economic development and institutional focus in furtherance of the Commonwealth Research and Development Strategic Roadmap.

Status:

01/09/13 House: Prefiled and ordered printed; offered 01/09/13 13103489D

01/09/13 House: Referred to Committee on General Laws

01/14/13 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

HB2078 Public procurement; increases public notice of requests for proposals, technical amendments.

Chief Patron: Peace

Summary:

Increases public notice of requests for proposals from 10 to 30 days. The bill also (i) limits the use of competitive negotiation for construction projects, including certain public institutions of higher education, for which the aggregate or sum of all phases is not expected to exceed \$10 million, the nature of the project is such that it is unusually complex or extraordinary conditions exist, and the Director of the Department of General Services and the Secretary of Administration certify such conditions exist; (ii) requires posting on eVa and other appropriate websites for state and local public bodies using certain methods of procurement; (iii) changes the process for procurement of design-build or construction management projects; and (iv) allows a bidder or offeror to protest a public body's use of competitive negotiation. The bill contains technical amendments.

Status:

01/09/13 House: Prefiled and ordered printed; offered 01/09/13 13103358D

01/09/13 House: Referred to Committee on General Laws

01/14/13 House: Assigned GL sub: #2 FOIA/Procurement

HB2094 Virginia Longitudinal Data System; established, report.

Chief Patron: Watson

Summary:

Requires the Board of Education to establish the Virginia Longitudinal Data System to track and examine student progress from early childhood to postsecondary education to the student entering the workforce. The bill also establishes the Virginia Longitudinal Data System Advisory Council to advise the Board of Education on all matters related to the Virginia Longitudinal Data System.

Status:

01/09/13 House: Prefiled and ordered printed; offered 01/09/13 13103532D

01/09/13 House: Referred to Committee on Education

01/14/13 House: Assigned Education sub: Teachers and Admin. Action

HB2125 Virginia Freedom of Information Act; requests for records.

Chief Patron: Keam

Summary:

Provides that FOIA requests may be made by any citizen of the United States and not just citizens of the Commonwealth. The bill also allows a public body to require prepayment before providing requested records when the cost for production of the records is likely to exceed \$100.

Status:

01/09/13 House: Prefiled and ordered printed; offered 01/09/13 13101987D

01/09/13 House: Referred to Committee on General Laws

01/14/13 House: Assigned GL sub: #2 FOIA/Procurement

HB2134 Virginia Freedom of Information Act; state agencies to post schedule of costs for producing records.

Chief Patron: Keam

Summary:

Adds a requirement that each state public body created in the executive branch of state government and subject to FOIA make available to the public upon request a schedule of charges associated with the production of requested records that may be assessed by the public body under FOIA. The bill also requires the schedule of charges to be posted on the respective websites of state executive branch agencies.

Status:

01/09/13 House: Prefiled and ordered printed; offered 01/09/13 13102618D

01/09/13 House: Referred to Committee on General Laws

01/14/13 House: Assigned GL sub: #2 FOIA/Procurement

HB2194 Capital outlay plan.

Chief Patron: Lingamfelter

Summary:

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

Status:

01/10/13 House: Presented and ordered printed 13103728D

01/10/13 House: Referred to Committee on Appropriations

01/14/13 House: Assigned App. sub: Capital Outlay

HB2230 Higher Education Board, Virginia Commission on; composition of members.

Chief Patron: Bulova

Summary:

Adds a tenured faculty member from a four-year public institution of higher education and a faculty member from a community college to the Virginia Commission on Higher Education Board Appointments.

Status:

01/11/13 House: Presented and ordered printed 13103631D

01/11/13 House: Referred to Committee on Education

HJ670 Study; two-term Governor; report.

Chief Patron: Brink

Summary:

Establishes a joint subcommittee to study the appropriate balance of power between the legislative and executive branches to support a two-term Governor.

Status:

01/09/13 House: Prefiled and ordered printed; offered 01/09/13 13102312D

01/09/13 House: Referred to Committee on Rules

HJ714 Celebrating the life of William Henry Wood.

Chief Patron: Toscano

Summary:

Celebrating the life of William Henry Wood.

Status:

01/11/13 House: Presented and laid on Speaker's table 13101171D

SB701 State government employment; nondiscrimination.

Chief Patron: McEachin

Summary:

Prohibits discrimination in state employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a special disabled veteran or other veteran covered by the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" shall not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill contains technical amendments.

Status:

10/25/12 Senate: Prefiled and ordered printed; offered 01/09/13 13100446D

10/25/12 Senate: Referred to Committee on General Laws and Technology

SB781 Women-owned and minority-owned businesses; enhancement measures.

Chief Patron: McEachin

Summary:

Provides that the Governor shall require state agencies to implement appropriate enhancement or remedial measures consistent with prevailing law when a persuasive analysis exists that documents statistically significant disparity between the availability and utilization of women-owned and minority-owned businesses.

Status:

12/18/12 Senate: Prefiled and ordered printed; offered 01/09/13 13100665D

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

SB814 Nursing education programs; minimum examination passage rates.

Chief Patron: Wagner

Summary:

Requires approved nursing education programs to maintain a minimum passage rate among graduates taking the national licensing examination required for licensure as a professional or practical nurse for the first time that is not lower than 10 percentage points less than the national average passage rate, and provides that in cases in which an

approved nursing education program fails to maintain a satisfactory passage rate in two consecutive years, the Board of Nursing shall cause a survey of the program to be made and may place the program on conditional approval with terms and conditions.

Status:

12/20/12 Senate: Prefiled and ordered printed; offered 01/09/13 13100833D

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

01/08/13 Senate: Impact statement from DPB (SB814)

SB827 Federal statutes or regulations; implementation of regulatory stringency standard.

Chief Patron: Garrett

Summary:

Requires any state agency that is authorized to implement a comparable federal program to receive statutory authorization to promulgate any regulation that is more stringent than the federal statute or regulation. By July 1, 2014, these agencies are required to complete a review of their regulations to determine whether each regulation (i) is more stringent than the comparable federal law or regulation and (ii) whether there is statutory authorization for the regulation that is found to be more stringent. When an agency determines that a more stringent regulation has not been authorized by a state statute the agency is required to amend the regulation to bring it into compliance with the federal law or regulation, or the General Assembly has to enact legislation authorizing the more stringent standard. If neither condition has been met within one year of the agency's determination that its regulation is more stringent than the comparable federal law or regulation, the regulation is deemed to be null and void.

Status:

12/28/12 Senate: Prefiled and ordered printed; offered 01/09/13 13100718D

12/28/12 Senate: Referred to Committee on General Laws and Technology

SB856 Boards of visitors; requirements for members of four-year public higher educational institutions.

Chief Patron: Petersen

Summary:

Requires members of boards of visitors of four-year public institutions of higher education to have served four years on the board prior to being elected or appointed rector. The bill stipulates that such rectors shall serve four-year terms. The bill also changes the terms of all visitors from four years to six years. The bill contains technical amendments.

Status:

01/02/13 Senate: Prefiled and ordered printed; offered 01/09/13 13102892D

01/02/13 Senate: Referred to Committee on Education and Health

01/09/13 Senate: Assigned Education sub: Higher Education

01/14/13 Senate: Impact statement from DPB (SB856)

SB858 Surgical assistants and surgical technologists; licensure and certification by Board of Medicine.

Chief Patron: Blevins

Summary:

Requires certification for surgical technologists and licensure for surgical assistants, and provides requirements for such certification and licensure. The bill creates the Advisory Board of Surgical Technology and Surgical Assisting to assist the Board of Medicine in the regulation of surgical technologists and surgical assistants.

Status:

01/03/13 Senate: Prefiled and ordered printed; offered 01/09/13 13101106D

01/03/13 Senate: Referred to Committee on Education and Health

01/09/13 Senate: Assigned Education sub: Health Professions

01/09/13 Senate: Impact statement from DPB (SB858)

SB891 Commission on Small Business Mandates established.

Chief Patron: Stuart

Summary:

Creates the Commission on Small Business Mandates to review the impact of any mandates established by state law or by rules and regulations promulgated by state agencies on small businesses and make recommendations to the Governor and the General Assembly on actions that may be taken to minimize or alleviate any adverse impact. The bill also authorizes the Commission to suspend the effective date of any portion or all of a final regulation with the concurrence of the Governor.

Status:

01/04/13 Senate: Prefiled and ordered printed; offered 01/09/13 13103233D

01/04/13 Senate: Referred to Committee on Rules

SB914 Digital accounts and assets; enables a fiduciary to gain access.

Companion Bill: HB1584

Chief Patron: Ruff

Summary:

Enables a fiduciary to gain access to the digital accounts and digital assets of the person or estate to whom he owes a fiduciary duty upon making a written request to the custodian of the digital accounts and digital assets and submitting proof of the fiduciary relationship.

Status:

01/07/13 Senate: Prefiled and ordered printed; offered 01/09/13 13102072D

01/07/13 Senate: Referred to Committee for Courts of Justice

SB955 Public schools; teacher licensure.

Chief Patron: Ruff

Summary:

Directs the Board of Education to establish criteria in its regulations governing licensure that exempts any person seeking initial licensure from coursework and professional teacher's assessment requirements if such person graduated with a baccalaureate degree in science, technology, engineering, or mathematics in the top 10 percent of his

graduating class from a regionally accredited institution of higher education.

Status:

01/07/13 Senate: Prefiled and ordered printed; offered 01/09/13 13102069D

01/07/13 Senate: Referred to Committee on Education and Health

01/09/13 Senate: Assigned Education sub: Public Education

SB970 Paper and plastic bags; imposes fee of \$0.05 on those used by purchasers to carry tangible property.

Companion Bill: HB1381

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 is punishable by fines of \$250, \$500, and \$1,000 for the first, second, and third or subsequent offenses, respectively.

Status:

01/08/13 Senate: Prefiled and ordered printed; offered 01/09/13 13101745D

01/08/13 Senate: Referred to Committee on Finance

01/13/13 Senate: Impact statement from TAX (SB970)

SB971 Lyme disease; disclosure of information to patients.

Chief Patron: Black

Summary:

Requires physicians to provide each patient for whom a test for the presence of Lyme disease is ordered with a notice about Lyme disease, about testing for Lyme disease, and about the need to contact his physician with questions or concerns about Lyme disease.

Status:

01/08/13 Senate: Prefiled and ordered printed; offered 01/09/13 13101234D

01/08/13 Senate: Referred to Committee on Education and Health

01/14/13 Senate: Impact statement from DPB (SB971)

SB1069 Virginia Longitudinal Data System; established, report.

Companion Bill: HB2094

Chief Patron: Carrico

Summary:

Requires the Board of Education to establish the Virginia Longitudinal Data System to track and examine student progress from early childhood to postsecondary education to the student entering the workforce. The bill also establishes the Virginia Longitudinal Data System Advisory Council to advise the Board of Education on all matters

related to the Virginia Longitudinal Data System.

Status:

01/08/13 Senate: Prefiled and ordered printed; offered 01/09/13 13103533D

01/08/13 Senate: Referred to Committee on Education and Health

SB1085 Higher Education, Virginia Commission on; board appointments.

Companion Bill: HB1976

Chief Patron: Deeds

Summary:

Clarifies that the Virginia Commission on Higher Education Board Appointments is required to evaluate potential appointees to higher education governing boards and to make recommendations to the Governor. Currently, these actions are considered powers and duties of the Commission and the Commission only makes recommendations upon the request of the Governor. The bill also requires the Commission to consider each list of qualified persons submitted to the Governor by the alumni association of any public institution of higher education.

Status:

01/09/13 Senate: Prefiled and ordered printed; offered 01/09/13 13101805D

01/09/13 Senate: Referred to Committee on Education and Health

SB1086 University of Virginia Board of Visitors; composition and quorum.

Companion Bill: HB1978

Chief Patron: Deeds

Summary:

Requires at least one member of the University of Virginia Board of Visitors to have administrative experience at an institution of higher education or have experience as a professor in the study of higher education. The bill also requires the board of visitors to appoint a faculty representative to serve in a nonvoting advisory capacity. The bill changes the number of board members that constitutes a quorum from five members to a majority of members. Finally, the bill removes the requirement that the vice-rector automatically succeeds the rector upon expiration of the rector's term.

Status:

01/09/13 Senate: Prefiled and ordered printed; offered 01/09/13 13101734D

01/09/13 Senate: Referred to Committee on Education and Health

SB1138 Virginia Nuclear Energy Consortium.

Companion Bill: HB1790

Chief Patron: McWaters

Summary:

Establishes the Virginia Nuclear Energy Consortium Authority as a political subdivision of the Commonwealth for the purposes of making the Commonwealth a national and global leader in nuclear energy and serving as an interdisciplinary study, research, and information resource for the Commonwealth on nuclear energy issues. The 17-member board of directors of the Authority is directed to form a nonstock, nonprofit corporation, referred to as the

Virginia Nuclear Energy Consortium. Membership in the Consortium is open to specified educational institutions, Virginia-based federal research laboratories, nuclear-related nonprofit organizations, business entities with operating facilities in Virginia that are engaged in activities directly related to the nuclear energy industry, and other persons whose membership is approved by the Consortium's board of directors. The purposes of the Consortium include carrying out the rights, powers, and duties of the Authority and conducting other activities useful in (i) making the Commonwealth a leader in nuclear energy, (ii) serving as an interdisciplinary study, research, and information resource for the Commonwealth on nuclear energy issues, and (iii) raising money on behalf of the Authority in the corporate and nonprofit community and from other nonstate sources.

Status:

01/09/13 Senate: Prefiled and ordered printed; offered 01/09/13 13103526D

01/09/13 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources

SB1178 Fraud and Abuse Whistle Blower Reward Fund; amount of reward.

Companion Bill: HB1845

Chief Patron: Ruff

Summary:

Reduces the requirement for an award from the Fraud and Abuse Whistle Blower Reward Fund from \$10,000 to \$5,000 and expands the purposes for which the Fund may be used to include supporting the administration of the Fund, defraying Fund advertising costs, and subsidizing the operation of the Fraud, Waste and Abuse Hotline, all of which expenditure is capped at five percent of the Fund. The bill also (i) authorizes the State Inspector General to split a reward among multiple whistle blowers reporting the same qualifying incident of wrongdoing or abuse, (ii) requires that by the end of each calendar quarter 85 percent of all sums recovered shall be deposited into the general fund, (iii) requires the State Inspector General to submit an annual report to the General Assembly summarizing the activities of the Fund, and (vi) changes the name of the State Employee Fraud, Waste and Abuse Hotline to the Fraud, Waste and Abuse Hotline. The bill contains technical amendments.

Status:

01/09/13 Senate: Prefiled and ordered printed; offered 01/09/13 13101462D

01/09/13 Senate: Referred to Committee on General Laws and Technology

SB1184 Virginia Information Technologies Agency; procurement of information technology telecommunications.

Companion Bill: HB2074

Chief Patron: Vogel

Summary:

Clarifies that all information technology and telecommunications goods and services of every description procured on behalf of state agencies may only be purchased by the Virginia Information Technologies Agency (VITA) and details VITA's role in all aspects of the procurement of such goods and services on behalf of state agencies. In addition, the bill provides that any contract for information technology or telecommunications goods or services entered into by a state agency or institution without written authorization from VITA shall be void and prohibits the Comptroller from issuing payment under any contract for information technology and telecommunications goods and services not approved or authorized by VITA.

Status:

01/09/13 Senate: Prefiled and ordered printed; offered 01/09/13 13103430D

01/09/13 Senate: Referred to Committee on General Laws and Technology

SB1263 VA FOIA; meeting by electronic communication means by certain committees, etc. of State bodies.

Chief Patron: Stuart

Summary:

Authorizes an advisory public body, defined as any state public body classified as advisory pursuant to § 2.2-2100 or any committee, subcommittee, or other entity, however designated, of a state public body created to advise the state public body, to meet by electronic communication means without a quorum of the advisory public body being physically assembled at one location, provided, among other requirements, the meeting is conducted utilizing a combined audio and visual communication method. The bill requires any advisory public body holding this kind of electronic communication meeting to make an audiovisual recording of the meeting, which recording shall be preserved by the advisory public body for a period of three years from the date of the meeting. The bill also enhances the annual reporting requirements for any public body authorized to conduct electronic communication meetings and requires the FOIA Council to develop a form that an authorized public body must make available to the public at any such meeting for public comment. The above described provisions of the bill by its terms will expire on July 1, 2014. Finally, the bill allows a member of any public body to participate in a meeting by electronic communication means due to personal matters under certain circumstances. Currently, such remote participation is allowed only for emergency, medical condition, or distance from the meeting location of more than 60 miles. The bill is a recommendation of the Virginia Freedom of Information Advisory Council.

Status:

01/11/13 Senate: Presented and ordered printed 13103272D

01/11/13 Senate: Referred to Committee on General Laws and Technology

SJ324 Confirming Governor's appointments of certain persons.

Chief Patron: Obenshain

Summary:

Confirms appointments to various positions made by Governor McDonnell and communicated to the General Assembly August 1, 2012.

Status:

01/09/13 Senate: Prefiled and ordered printed; offered 01/09/13 13100200D

01/09/13 Senate: Referred to Committee on Privileges and Elections

01/15/13 Senate: Assigned to P&E sub: Certificate, Oath and Confirmation