

Legislative Report
University of Virginia -- Office of State Governmental Relations
January 22, 2013

HB1306	Federal Oversight, Commission on; established, report. (Chief Patron: Landes)	1
HB1316	Sex-selective abortions; penalty. (Chief Patron: Marshall, R.G.)	1
HB1362	Election Day; designating as a state holiday. (Chief Patron: Scott, J.M.)	1
HB1368	Jury duty; requires employer to excuse an employee for each day of service that exceeds three hours. (Chief Patron: Scott, J.M.)	2
HB1381	Plastic bags; imposes \$0.05 tax beginning 7/1/14 on those used by purchasers to carry certain goods. (Chief Patron: Morrissey)	2
HB1389	Higher educational institutions; allocation of in-state undergraduate tuition and state funds. (Chief Patron: Ramadan)	2
HB1407	Inmates; eligibility for medical assistance. (Chief Patron: Hope)	3
HB1469	Higher educational institutions; State Inspector General to conduct a comprehensive financial audit. (Chief Patron: Bell, Richard P.)	3
HB1478	State Inspector General; powers and duties. (Chief Patron: Farrell)	4
HB1496	Senior citizens; reduced tuition for attendance at higher educational institutions in State. (Chief Patron: Stolle)	4
HB1537	Student teachers & student teacher supervisors; fingerprinting, criminal history records check, etc. (Chief Patron: Yost)	4
HB1560	Abortion; removes requirement that a woman undergo transabdominal ultrasound prior to procedure. (Chief Patron: Kory)	5
HB1584	Digital accounts and assets; enables a fiduciary to gain access. (Chief Patron: Bulova)	5
HB1591	Plastic bags; use by retailers. (Chief Patron: Ware, O.)	6
HB1605	Students; admission of those domiciled in State at higher educational institutions. (Chief Patron: Hugo)	6
HB1609	Higher education; mental health treatment coordination. (Chief Patron: Hugo)	6
HB1612	Workers' compensation; fee schedule for medical care services and prompt payment. (Chief Patron: Hugo)	7
HB1700	Students; admission of those domiciled in State at higher educational institutions. (Chief Patron: Comstock)	7
HB1741	Revised Uniform Anatomical Gift Act; organ removal and Virginia Transplant Council. (Chief Patron: Tata)	7
HB1777	Virginia Open Education Resources Council; established. (Chief Patron: Filler-Corn)	8
HB1790	Virginia Nuclear Energy Consortium Authority; established. (Chief Patron: Garrett)	8
HB1812	Real property owned by State; alters provisions governing local service charges. (Chief Patron: McQuinn)	9
HB1845	Fraud and Abuse Whistle Blower Reward Fund; amount of reward. (Chief Patron: Loupassi)	9
HB1856	Emergency medical services; procedures and practice. (Chief Patron: Orrock)	9
HB1875	Community Colleges, State Board for; faculty member added to board of visitors and State Board. (Chief Patron: McClellan)	10
HB1881	University of Virginia; appointment to Board of Visitors. (Chief Patron: Morrissey)	10

HB1890	General Services, Department of; standard vendor accounting information. (Chief Patron: LeMunyon)	11
HB1897	Cellular telephone or other electronic devices; warrant required for search. (Chief Patron: Carr)	11
HB1933	Lyme disease; disclosure of information to patients. (Chief Patron: Comstock)	11
HB1936	Minority Business Enterprises, Department of; changes definition of small business. (Chief Patron: Lopez)	12
HB1940	Community Colleges, State Board for, et al; faculty representatives & student representatives. (Chief Patron: Landes)	12
HB1952	Higher educational institutions; board of visitors governance, report. (Chief Patron: Landes)	12
HB1976	Higher Education, Virginia Commission on; board appointments. (Chief Patron: Toscano)	13
HB1978	University of Virginia; Board of Visitors, composition and quorum. (Chief Patron: Toscano)	13
HB1992	State grievance procedure; review of hearing decisions. (Chief Patron: McClellan)	13
HB2021	Public employment; prohibits discrimination. (Chief Patron: LeMunyon)	14
HB2030	Health insurance; installment payments of cost-sharing obligations associated with prescriptions. (Chief Patron: Peace)	14
HB2074	VITA; procurement of information technology and telecommunications by state agencies. (Chief Patron: Robinson)	15
HB2075	Commonwealth Innovation and Entrepreneurship Measurement System; authorizes IEIA to create. (Chief Patron: Poindexter)	15
HB2078	Public procurement; increases public notice of requests for proposals, technical amendments. (Chief Patron: Peace)	15
HB2094	Virginia Longitudinal Data System; established, report. (Chief Patron: Watson)	16
HB2114	State Inspector General; additional powers and duties. (Chief Patron: Landes)	16
HB2125	Virginia Freedom of Information Act; requests for records. (Chief Patron: Keam)	16
HB2134	Virginia Freedom of Information Act; state agencies to post schedule of costs for producing records. (Chief Patron: Keam)	17
HB2194	Capital outlay; establishes revised six-year plan for projects. (Chief Patron: Lingamfelter)	17
HB2212	Virginia Public Procurement Act; women-owned and minority-owned businesses, remedial measures. (Chief Patron: McQuinn)	17
HB2230	Higher Education, Virginia Commission on; composition of Board members. (Chief Patron: Bulova)	18
HB2311	Higher Education for Virginia, State Council of; expands purpose, alters membership, etc. (Chief Patron: Cox, M.K.)	18
HB2324	Inmates; Director of DOC to develop procedures to identify those eligible for medical assistance. (Chief Patron: Sickles)	18
HB2340	Agency, political subdivision, etc., of VA; prevents assisting federal government in investigation. (Chief Patron: Marshall, R.G.)	19
HJ670	Governor; joint subcommittee to study appropriate balance of power to support two terms in State. (Chief Patron: Brink)	19
HJ689	Medical doctors; joint subcommittee to study current and impending severe shortage in State. (Chief Patron: Purkey)	19
HJ714	Celebrating the life of William Henry Wood. (Chief Patron: Toscano)	20
SB701	State government employment; nondiscrimination. (Chief Patron: McEachin)	20
SB781	Women-owned and minority-owned businesses; enhancement measures. (Chief Patron: McEachin)	20

SB814	Nursing education programs; minimum examination passage rates. (Chief Patron: Wagner)	21
SB827	Federal statutes or regulations; implementation of regulatory stringency standard. (Chief Patron: Garrett)	21
SB856	Boards of visitors; requirements for members of four-year public higher educational institutions. (Chief Patron: Petersen)	21
SB858	Surgical assistants and surgical technologists; licensure and certification by Board of Medicine. (Chief Patron: Blevins)	22
SB868	Criminal history background record checks; barrier crimes. (Chief Patron: Edwards)	22
SB878	Prescription Monitoring Program; required checks prior to dispensing certain controlled substances. (Chief Patron: Puckett)	23
SB891	Commission on Small Business Mandates established. (Chief Patron: Stuart)	23
SB914	Digital accounts and assets; enables a fiduciary to gain access. (Chief Patron: Ruff)	23
SB942	Certificate of public need; amendment of charity care provisions upon expansion of state program. (Chief Patron: Reeves)	24
SB945	Health insurance; installment payments of cost-sharing obligations associated with prescriptions. (Chief Patron: Puller)	24
SB955	Public schools; teacher licensure. (Chief Patron: Ruff)	24
SB970	Paper and plastic bags; imposes fee of \$0.05 on those used by purchasers to carry tangible property. (Chief Patron: Ebbin)	25
SB971	Lyme disease; disclosure of information to patients. (Chief Patron: Black)	25
SB1069	Virginia Longitudinal Data System; established, report. (Chief Patron: Carrico)	25
SB1085	Higher Education, Virginia Commission on; board appointments. (Chief Patron: Deeds)	26
SB1086	University of Virginia Board of Visitors; composition and quorum. (Chief Patron: Deeds)	26
SB1087	University of Virginia; changes composition of Board of Visitors. (Chief Patron: Edwards)	26
SB1138	Virginia Nuclear Energy Consortium. (Chief Patron: McWaters)	27
SB1178	Fraud and Abuse Whistle Blower Reward Fund; amount of reward. (Chief Patron: Ruff)	27
SB1181	IEIA, Commonwealth Innovation and Entrepreneurship Measurement System; authorizes to create. (Chief Patron: Reeves)	28
SB1184	VITA; procurement of information technology and telecommunications by state agencies. (Chief Patron: Vogel)	28
SB1186	State Medical Assistance Plan; investigatory powers of Attorney General, allowable charge. (Chief Patron: Vogel)	28
SB1263	VA FOIA; meeting by electronic communication means by certain committees, etc. of State bodies. (Chief Patron: Stuart)	29
SB1265	Capital outlay; establishes revised six-year plan for projects. (Chief Patron: Ruff)	29
SB1275	Medical data in an electronic or digital format; limitations on use, storage, sharing, & processing. (Chief Patron: Martin)	30
SB1290	Higher educational institutions; partial tuition waiver for dependent children of faculty. (Chief Patron: Edwards)	30
SJ311	Criminal history background checks and barrier crimes; joint subcommittee to study related laws. (Chief Patron: Edwards)	31
SJ324	Governor; confirming appointments. (Chief Patron: Obenshain)	31

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

01/18/13 House: Impact statement from DPB (HB1306)

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:

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

01/17/13 House: Assigned Courts sub: #7 Constitutional Law

01/18/13 House: Subcommittee recommends laying on the table

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

01/16/13 House: Subcommittee recommends referring to Committee on Appropriations

01/18/13 House: Passed by indefinitely in Privileges and Elections

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

01/16/13 House: Impact statement from DPB (HB1368)

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

01/16/13 House: Subcommittee recommends laying on the table

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

01/15/13 House: Subcommittee recommends no action

01/18/13 House: Impact statement from DPB (HB1389)

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

01/15/13 House: Assigned HWI sub: #1

01/18/13 House: Impact statement from DPB (HB1407)

01/21/13 House: Subcommittee recommends laying on the table

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

01/15/13 House: Impact statement from DPB (HB1469)

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

01/18/13 House: Impact statement from DPB (HB1478)

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:

01/18/13 House: Impact statement from DPB (HB1496)

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

01/21/13 House: Impact statement from DPB (HB1537)

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

01/15/13 House: Impact statement from DPB (HB1560)

01/16/13 House: Assigned Courts sub: #7 Constitutional Law

01/18/13 House: Subcommittee recommends laying on the table

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: Referred to Committee on Commerce and Labor

01/15/13 House: Referred from Commerce and Labor

01/15/13 House: Referred to Committee for Courts of Justice

01/15/13 House: Assigned Courts sub: #2 Civil

01/21/13 House: Subcommittee recommends incorporating (HB1752-Wright) (8-Y 0-N)

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

01/16/13 House: Subcommittee recommends laying on the table

01/17/13 House: Impact statement from DPB (HB1591)

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

01/22/13 House: Impact statement from DPB (HB1605)

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

01/15/13 House: Impact statement from DPB (HB1609)

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

01/22/13 House: Impact statement from DPB (HB1700)

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

01/15/13 House: Impact statement from DPB (HB1741)

01/15/13 House: Assigned HWI sub: #4

01/17/13 House: Subcommittee recommends laying on the table

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

01/21/13 House: Impact statement from DPB (HB1777)

HB1790 Virginia Nuclear Energy Consortium Authority; established.

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: Referred to Committee on Commerce and Labor

01/17/13 House: Reported from Commerce and Labor with amendments (21-Y 1-N)
01/18/13 House: Impact statement from DPB (HB1790)
01/21/13 House: Read first time
01/22/13 House: Passed by for the day

HB1812 Real property owned by State; alters provisions governing 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
01/21/13 House: Stricken from docket by Finance

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
01/15/13 House: Impact statement from DPB (HB1845)

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)
01/15/13 House: Assigned HWI sub: #1
01/21/13 House: Subcommittee recommends reporting with amendment(s) (5-Y 2-N)

HB1875 Community Colleges, State Board for; faculty member added to board of visitors and State Board.

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
01/15/13 House: Impact statement from DPB (HB1875)
01/15/13 House: Subcommittee recommends laying on the table

HB1881 University of Virginia; appointment to Board of Visitors.

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
01/15/13 House: Impact statement from DPB (HB1881)
01/15/13 House: Subcommittee recommends laying on the table

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: Referred to Committee on General Laws

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

01/17/13 House: Subcommittee recommends reporting with amendment(s) (7-Y 0-N)

01/22/13 House: Reported from General Laws with substitute (22-Y 0-N)

01/22/13 House: Committee substitute printed 13104161D-H1

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

01/17/13 House: Assigned Courts sub: #1 Criminal

01/21/13 House: Subcommittee recommends laying on the table

HB1933 Lyme disease; disclosure of information to patients.

Companion Bill: SB971

Chief Patron: Comstock

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:

01/09/13 House: Prefiled and ordered printed; offered 01/09/13 13102771D

01/09/13 House: Referred to Committee on Health, Welfare and Institutions
01/14/13 House: Impact statement from DPB (HB1933)
01/15/13 House: Assigned HWI sub: #1

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
01/15/13 House: Impact statement from DPB (HB1936)

HB1940 Community Colleges, State Board for, et al; faculty representatives & student representatives.

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:

01/11/13 House: Assigned Education sub: Higher Education and Arts
01/15/13 House: Subcommittee recommends reporting with amendment(s) (8-Y 0-N)
01/18/13 House: Impact statement from DPB (HB1940)
01/21/13 House: Reported from Education with amendment (15-Y 2-N)
01/22/13 House: Read first time

HB1952 Higher educational institutions; board of visitors governance, report.

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: Referred to Committee on Education

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

01/15/13 House: Subcommittee recommends reporting with amendment(s) (8-Y 0-N)

01/21/13 House: Reported from Education with amendment (17-Y 0-N)

01/22/13 House: Read first time

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

01/15/13 House: Subcommittee failed to recommend reporting (4-Y 4-N)

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)

01/15/13 House: Subcommittee failed to recommend reporting (3-Y 5-N)

HB1992 State grievance procedure; review of hearing decisions.

Chief Patron: McClellan

Summary:

Provides that upon the request of a party to a grievance hearing for an administrative review of the hearing decision based on the party's assertion that the hearing decision is inconsistent with a proper interpretation or application of a policy that constituted a material issue in the grievance that formed or should have formed in whole or in part the basis for the hearing decision, the Director of the Department of Human Resource Management shall determine within 60 days of the request, whether the decision is consistent with policy. The bill specifies that the Director's determination shall be made as an independent, de novo review of the grievance and the Director shall identify those factual findings in the hearing decision that are relevant and material to the policy in question and explain whether those findings support the hearing decision relating to the application of the policy in question. Currently, upon the request of a party to a grievance hearing for an administrative review of the hearing decision, the Director of the Department of Human Resource Management must determine within 30 days of the conclusion of any other administrative review, whether the hearing decision is consistent with policy.

Status:

01/09/13 House: Prefiled and ordered printed; offered 01/09/13 13102468D

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

01/15/13 House: Impact statement from DPB (HB1992)

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

01/18/13 House: Impact statement from DPB (HB2021)

01/22/13 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

HB2030 Health insurance; installment payments of cost-sharing obligations associated with prescriptions.

Companion Bill: SB945

Chief Patron: Peace

Summary:

Requires health plans to allow certain covered persons to pay their cost-sharing obligations under their health benefit plan in 12 equal monthly installments. The option is to be provided to covered persons who are reasonably expected to incur cost-sharing obligations as a result of their pharmacy benefits that exceed their total annual cost-sharing obligations under their health benefit plan.

Status:

01/09/13 House: Prefiled and ordered printed; offered 01/09/13 13101091D

01/09/13 House: Referred to Committee on Commerce and Labor

01/15/13 House: Assigned C & L sub: #2

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.

Companion Bill: SB1181

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

01/22/13 House: Impact statement from DPB (HB2075)

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.

Companion Bill: SB1069

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:

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

01/17/13 House: Subcommittee recommends reporting (9-Y 0-N)

01/21/13 House: Reported from Education (16-Y 1-N)

01/21/13 House: Referred to Committee on Appropriations

01/21/13 House: Assigned App. sub: Elementary & Secondary Education

HB2114 State Inspector General; additional powers and duties.

Chief Patron: Landes

Summary:

Grants additional powers to the State Inspector General relating to audit functions of state and nonstate agencies. The bill reorganizes the State Inspector General's powers and duties and generally reorganizes the law relating to the Office of the State Inspector General. The bill contains technical amendments.

Status:

01/09/13 House: Prefiled and ordered printed; offered 01/09/13 13101359D

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

01/15/13 House: Impact statement from DPB (HB2114)

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

01/15/13 House: Impact statement from DPB (HB2125)

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

01/17/13 House: Impact statement from DPB (HB2134)

HB2194 Capital outlay; establishes revised six-year plan for projects.

Companion Bill: SB1265

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

HB2212 Virginia Public Procurement Act; women-owned and minority-owned businesses, remedial measures.

Companion Bill: SB781

Chief Patron: McQuinn

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:

01/11/13 House: Presented and ordered printed 13103810D

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

01/22/13 House: Stricken from docket by General Laws

HB2230 Higher Education, Virginia Commission on; composition of Board 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

01/17/13 House: Impact statement from DPB (HB2230)

01/18/13 House: Assigned Education sub: Higher Education and Arts

HB2311 Higher Education for Virginia, State Council of; expands purpose, alters membership, etc.

Chief Patron: Cox, M.K.

Summary:

Changes the State Council of Higher Education by (i) expanding its purpose, (ii) altering its membership and setting forth the qualifications of appointees, and (iii) requiring the presidents of the public institutions of higher education in the Commonwealth to present information and comment on issues of common interest at each meeting of the Council.

Status:

01/18/13 House: Presented and ordered printed 13103960D

01/18/13 House: Referred to Committee on Education

01/22/13 House: Assigned Education sub: Higher Education and Arts

HB2324 Inmates; Director of DOC to develop procedures to identify those eligible for medical assistance.

Chief Patron: Sickles

Summary:

Requires the Director of the Department of Corrections to develop procedures for identifying inmates who may be eligible for medical assistance, enrolling such inmates in the state medical assistance program, and ensuring that claims for eligible services are submitted to the Department of Medical Assistance Services rather than the Department of Corrections, and directs the Attorney General to include providers of inpatient medical services to inmates who are eligible for medical assistance services in audits and investigations of providers of services furnished under the state plan for medical assistance. The bill also requires the Director of the Department of Corrections to develop procedures for reviewing claims for reimbursement for medical services submitted to the Department for accuracy and for identifying fraudulent or inaccurate claims and recovering amounts paid pursuant thereto.

Status:

01/18/13 House: Presented and ordered printed 13103514D

01/18/13 House: Referred to Committee on Militia, Police and Public Safety

01/22/13 House: Assigned MPPS sub: #2

HB2340 Agency, political subdivision, etc., of VA; prevents assisting federal government in investigation.

Chief Patron: Marshall, R.G.

Summary:

Prevent any agency, political subdivision, or employee of Virginia from assisting the Federal government of the United States in any investigation, prosecution, detention, arrest, search, or seizure, under the authority of any federal statute enacted, or Executive Order or regulation issued, after December 31, 2012, infringing the individual Right to Keep and Bear Arms by imposing new restrictions on private ownership or private transfer of firearms, firearm magazines, ammunition, or components thereof.

Status:

01/18/13 House: Presented and ordered printed 13104277D

01/18/13 House: Referred to Committee on Militia, Police and Public Safety

01/22/13 House: Assigned MPPS sub: #2

HJ670 Governor; joint subcommittee to study appropriate balance of power to support two terms in State.

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

01/16/13 House: Assigned Rules sub: Studies

HJ689 Medical doctors; joint subcommittee to study current and impending severe shortage in State.

Chief Patron: Purkey

Summary:

Establishes a joint subcommittee to study the current and impending severe shortage of medical doctors in Virginia. In conducting its study, the joint subcommittee shall (i) determine whether a shortage of medical doctors exists in the Commonwealth, by specialty and by geographical region; (ii) project the future need for medical doctors in Virginia over the next 10 years by field of specialty; and (iii) identify and assess factors that contribute to the shortage of medical doctors, including medical school admissions, the costs of medical education, and the effect of excessive malpractice insurance premiums, malpractice laws and caps, the shortage of nurses, and ancillary regulations such as the Certificate of Public Need; and (iv) identify the medical specialty fields primarily affected by the shortage of doctors and recommend ways to alleviate such shortages. The joint subcommittee must submit its preliminary

findings and recommendations to the 2014 Session of the General Assembly and its final findings and recommendations to the 2015 Session.

Status:

01/09/13 House: Presented and ordered printed 13100662D

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

01/16/13 House: Assigned Rules sub: Studies

HJ714 Celebrating the life of William Henry Wood.

Chief Patron: Toscano

Summary:

Celebrating the life of William Henry Wood.

Status:

01/15/13 House: Engrossed by House

01/15/13 House: Agreed to by House

01/16/13 Senate: Received

01/16/13 Senate: Laid on Clerk's Desk

01/17/13 Senate: Agreed to by Senate

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

01/18/13 Senate: Impact statement from DPB (SB701)

01/21/13 Senate: Reported from General Laws and Technology with amendments (8-Y 7-N)

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

Companion Bill: HB2212

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

01/15/13 Senate: Assigned GL&T sub: #2

01/21/13 Senate: Impact statement from DPB (SB781)

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)

SB868 Criminal history background record checks; barrier crimes.

Chief Patron: Edwards

Summary:

Clarifies the list of barrier crimes for individuals seeking employment or seeking to provide contract services at nursing homes, home care organizations, hospices, state facilities and private providers licensed by the Department of Behavioral Health and Developmental Services, community services boards, behavioral health authorities, assisted living facilities, adult day care centers, children's welfare agencies, family day homes approved by family day systems, and children's residential facilities; applicants for licensure, registration, or approval as assisted living facilities, child welfare agencies, or family day homes approved by family day systems; individuals with whom a local board of social services or child-placing agency is considering placing a child on an emergency, temporary, or permanent basis; foster and adoptive homes seeking approval from child-placing agencies; and providers of adult services and adult foster care seeking approval by the Department of Social Services by setting out each of the crimes included in the definition of "barrier crime." This bill also reorganizes and consolidates sections governing background checks for facilities and individuals licensed or regulated by the Departments of Health, Behavioral Health and Developmental Services, and Social Services. The bill also makes technical changes and updates obsolete language.

Status:

01/03/13 Senate: Prefiled and ordered printed; offered 01/09/13 13101502D

01/03/13 Senate: Referred to Committee for Courts of Justice

01/17/13 Senate: Impact statement from DPB (SB868)

SB878 Prescription Monitoring Program; required checks prior to dispensing certain controlled substances.

Chief Patron: Puckett

Summary:

Requires prescribers to request and review information from the Prescription Monitoring Program prior to dispensing any Schedule II, Schedule III, or Schedule IV controlled substance.

Status:

01/04/13 Senate: Prefiled and ordered printed; offered 01/09/13 13101617D

01/04/13 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 (SB878)

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

01/22/13 Senate: Impact statement from DPB (SB891)

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

SB942 Certificate of public need; amendment of charity care provisions upon expansion of state program.

Chief Patron: Reeves

Summary:

Provides that the Commission of Health may accept and approve requests for amendments to charity care provisions of existing certificates of public need to reduce the level of charity care required and establish levels of care for persons receiving medical assistance services under the state plan, upon expansion of the Commonwealth's program for medical assistance services in accordance with the provisions of the Patient Protection and Affordable Care Act, and provides that for the purpose of complying with charity care provisions, "persons requiring specialized care" includes veterans with service-connected disabilities.

Status:

01/07/13 Senate: Prefiled and ordered printed; offered 01/09/13 13102423D

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

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

01/17/13 Senate: Impact statement from DPB (SB942)

SB945 Health insurance; installment payments of cost-sharing obligations associated with prescriptions.

Companion Bill: HB2030

Chief Patron: Puller

Summary:

Requires health plans to allow certain covered persons to pay their cost-sharing obligations under their health benefit plan in 12 equal monthly installments. The option is to be provided to covered persons who are reasonably expected to incur cost-sharing obligations as a result of their pharmacy benefits that exceed their total annual cost-sharing obligations under their health benefit plan.

Status:

01/07/13 Senate: Prefiled and ordered printed; offered 01/09/13 13101090D

01/07/13 Senate: Referred to Committee on Commerce and Labor

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

01/18/13 Senate: Impact statement from DPB (SB955)

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)

01/16/13 Senate: Committee substitute printed to Web only 13104101D-S1

01/16/13 Senate: Failed to report (defeated) in Finance (5-Y 9-N)

SB971 Lyme disease; disclosure of information to patients.

Companion Bill: HB1933

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

01/17/13 Senate: Assigned Education sub: Public Education

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

01/15/13 Senate: Assigned Education sub: Higher Education

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

01/15/13 Senate: Impact statement from DPB (SB1086)

01/15/13 Senate: Assigned Education sub: Higher Education

SB1087 University of Virginia; changes composition of Board of Visitors.

Chief Patron: Edwards

Summary:

Changes the composition of the Board of Visitors of the University of Virginia from 17 visitors appointed by the Governor to 13 visitors appointed by the Governor and four visitors directly elected by the alumni of the University of Virginia.

Status:

01/09/13 Senate: Prefiled and ordered printed; offered 01/09/13 13103545D

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

01/15/13 Senate: Impact statement from DPB (SB1087)

01/15/13 Senate: Assigned Education sub: Higher Education

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

01/17/13 Senate: Rereferred from Agriculture, Conservation and Natural Resources (15-Y 0-N)

01/17/13 Senate: Rereferred to Commerce and Labor

01/18/13 Senate: Impact statement from DPB (SB1138)

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

01/16/13 Senate: Impact statement from DPB (SB1178)

01/21/13 Senate: Reported from General Laws and Technology (14-Y 1-N)

SB1181 IEIA, Commonwealth Innovation and Entrepreneurship Measurement System; authorizes to create.

Companion Bill: HB2075

Chief Patron: Reeves

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 Senate: Prefiled and ordered printed; offered 01/09/13 13103492D

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

01/21/13 Senate: Reported from General Laws and Technology (14-Y 0-N)

01/22/13 Senate: Impact statement from DPB (SB1181)

SB1184 VITA; procurement of information technology and telecommunications by state agencies.

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

01/21/13 Senate: Stricken at request of Patron in General Laws and Technology (15-Y 0-N)

SB1186 State Medical Assistance Plan; investigatory powers of Attorney General, allowable charge.

Chief Patron: Vogel

Summary:

Expands the authority of the Attorney General or his authorized representatives in auditing and investigating providers of services under the State Medical Assistance Plan by giving authority to compel the production of fingerprints, photographs, and handwriting exemplars by witnesses. The bill provides that a witness who refuses to testify or produce requested evidence may be held in contempt and incarcerated until he complies. Subpoenas are excepted from certain provisions related to health records privacy and notice provisions, and information developed during a civil investigation is privileged. The bill also requires the Department of Medical Assistance Services to require that the actual charge for certain services, equipment, and materials shall not exceed the lowest price charged by or paid to the provider by any individual or entity, with certain exceptions.

Status:

01/09/13 Senate: Prefiled and ordered printed; offered 01/09/13 13102499D

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

01/17/13 Senate: Rereferred from Education and Health (13-Y 0-N)

01/17/13 Senate: Rereferred to Courts of Justice

01/21/13 Senate: Impact statement from DPB (SB1186)

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

SB1265 Capital outlay; establishes revised six-year plan for projects.

Companion Bill: HB2194

Chief Patron: Ruff

Summary:

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

Status:

01/11/13 Senate: Presented and ordered printed 13103727D

01/11/13 Senate: Referred to Committee on Finance

SB1275 Medical data in an electronic or digital format; limitations on use, storage, sharing, & processing.

Chief Patron: Martin

Summary:

. Prohibits any person that regularly stores medical data in an electronic or digital format from (i) participating in the establishment or implementation of the Nationwide Health Information Network; (ii) performing any analytic or statistical processing with regard to any medical records from multiple patients for purposes of medical diagnosis or treatment, including population health management; or (iii) processing medical data at a facility within the Commonwealth in any instance where a majority of the patients whose medical data is being processed do not reside in the Commonwealth. A database at which medical data is regularly stored in an electronic or digital format shall not store or maintain in a manner that is accessible by the operator or any other person, in an electronic or digital format, at any one time, medical data regarding more than 10,000 patients. The measure provides that any health care provider shall not be subject to any penalty, sanction, or other adverse action resulting from its failure or refusal to implement an online computerized medical record system. A patient's consent to the sharing of his health care information shall be presumed not to grant consent to the electronic or digital storing or transmission of the information to any person other than for health care coverage purposes. Finally, the measure prohibits the Commonwealth from authorizing the establishment or operation of a health information exchange.

Status:

01/14/13 Senate: Presented and ordered printed 13101733D

01/14/13 Senate: Referred to Committee on Education and Health

SB1290 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 if sufficient funds are available in the Dependent Children of University and College Faculty Reduced Tuition Fund, which is created in the bill. The waiver would be valid at any public institution of higher education in Virginia. The provisions of the bill are contingent on funding in a general appropriation act.

Status:

01/15/13 Senate: Presented and ordered printed 13103029D

01/15/13 Senate: Referred to Committee on Education and Health

01/21/13 Senate: Impact statement from DPB (SB1290)

SJ311 Criminal history background checks and barrier crimes; joint subcommittee to study related laws.

Chief Patron: Edwards

Summary:

Establishes a joint subcommittee to study the Commonwealth's requirements related to criminal history background checks and barrier crimes and to make recommendations for changes thereto.

Status:

01/08/13 Senate: Prefiled and ordered printed; offered 01/09/13 13101505D

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

SJ324 Governor; confirming appointments.

Chief Patron: Obenshain

Summary:

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

Status:

01/15/13 Senate: Reported from Privileges and Elections (12-Y 2-N 1-A)

01/17/13 Senate: Reading waived (39-Y 0-N)

01/18/13 Senate: Read second time and engrossed

01/21/13 Senate: Read third time and agreed to by Senate in part (39-Y 0-N)

01/21/13 Senate: Agreed to by Senate in part lines 267-268 (29-Y 9-N)