

Legislative Report
University of Virginia -- Office of State Governmental Relations
January 20, 2014

HB12	Patent infringement; assertions made in bad faith, bonding requirement not to exceed \$250,000, etc. (Chief Patron: Marshall, R.G.)	1
HB28	Higher educational institutions; admission of students domiciled in Virginia. (Chief Patron: Comstock)	1
HB93	Employment applications; inquiries regarding criminal arrests, charges, or convictions, penalty. (Chief Patron: Krupicka)	1
HB117	Paper and plastic bags; imposes tax of five cents on disposable bags used by purchasers, etc. (Chief Patron: Morrissey)	2
HB132	Commissioned officers; tuition-free instruction at higher educational institutions. (Chief Patron: Lingamfelter)	2
HB133	Two-Year College Transfer Grant Program; amount of award and eligibility criteria. (Chief Patron: Cole)	3
HB137	Higher educational institutions; admission and enrollment of students domiciled in Virginia. (Chief Patron: Ramadan)	3
HB144	Higher educational institutions; admission of students domiciled in Virginia. (Chief Patron: Hugo)	3
HB173	Electronic devices; search without warrant prohibited. (Chief Patron: Farrell)	4
HB178	Virginia Retirement System; assumed rate of return on investments for employer contributions. (Chief Patron: Farrell)	4
HB205	Student-athlete discipline policies; brd. of visitors of higher ed. institutions to establish. (Chief Patron: Landes)	4
HB206	Higher educational institutions, four-year; mental health resources, online module and assessment. (Chief Patron: Hope)	5
HB219	Virginia Freedom of Information Act; record exemption for certain letters of recommendation. (Chief Patron: Albo)	5
HB238	Higher educational institutions; spending of tuition. (Chief Patron: Ramadan)	6
HB240	Long-Term Care Ombudsman, Office of State; access to clients, patients, individuals, etc., records. (Chief Patron: O'Bannon)	6
HB258	Higher educational institutions; restrictions on student speech, limitations. (Chief Patron: Lingamfelter)	6
HB287	State Inspector General, Office of; powers and duties. (Chief Patron: Landes)	7
HB304	Prescription drugs; specialty tier coverage. (Chief Patron: O'Bannon)	7
HB310	First informer broadcaster; access to an area affected by disaster for news. (Chief Patron: Lingamfelter)	7
HB325	Electronic communications; right to privacy, civil action. (Chief Patron: Marshall, R.G.)	8
HB375	Patent infringement; assertions made in bad faith. (Chief Patron: O'Quinn)	8
HB465	University of Virginia Board of Visitors; increases number of members on executive committee. (Chief Patron: Massie)	9
HB467	State Council of Higher Education for Virginia; interstate agreements. (Chief Patron: Massie)	9
HB486	Human trafficking of children; reports and investigation. (Chief Patron: Hugo)	9
HB490	Health care providers; electronic medical records. (Chief Patron: Albo)	10

HB496	Assault and battery; of campus police, penalty. (Chief Patron: Yost)	10
HB501	Tuition, in-state; counting out-of-state students for certain purposes. (Chief Patron: Lingamfelter)	10
HB510	Use of federal funds; appropriation required. (Chief Patron: Morris)	11
HB532	Governor; state agencies' use of public media to influence proposed actions. (Chief Patron: Marshall, R.G.)	11
HB544	Public institutions of higher education; violence prevention committee policies and procedures. (Chief Patron: Filler-Corn)	11
HB571	State Inspector General, Office of; powers and duties. (Chief Patron: Landes)	12
HB696	Higher education; changes name of Virginia Guaranteed Assistance Program. (Chief Patron: Krupicka)	12
HB698	Campus police and school security officers; assault and battery, penalty. (Chief Patron: Ransone)	13
HB700	Higher educational institutions; optional retirement plans maintained by institution. (Chief Patron: Ingram)	13
HB703	FOIA; record exemption for administrative investigations by higher educational institutions. (Chief Patron: Gilbert)	13
HB711	Department of Human Resource Management; universal leave system for classified employees. (Chief Patron: Campbell)	14
HB728	Fraud and Abuse Whistle Blower Protection Act; discriminatory and retaliatory action. (Chief Patron: Lingamfelter)	14
HB729	Tax restructuring; modifies individual income and retail sales and use taxes. (Chief Patron: Lingamfelter)	14
HB731	Virginia Fraud Against Taxpayers Act; civil damages for employment discrimination. (Chief Patron: Lingamfelter)	15
HB781	Students; members of various education boards. (Chief Patron: Futrell)	15
HB788	Virginia Freedom of Information Act; out-of-state requests for records. (Chief Patron: LeMunyon)	16
HB813	Electronic devices; search without warrant prohibited. (Chief Patron: Carr)	16
HB886	Higher Education for Virginia, State Council of; postsecondary education and employment data. (Chief Patron: Peace)	16
HB892	State employment; questions about criminal convictions, arrests, and charges. (Chief Patron: Krupicka)	17
HB946	Workers' compensation; fee schedule for medical care services; limitations; prompt payment. (Chief Patron: Hugo)	17
HB995	Income, and sales and use taxes; expiration dates for various credits and exemptions. (Chief Patron: Hugo)	18
HB1053	State Inspector General, Office of; powers and duties. (Chief Patron: Miller)	18
HB1083	Workers' compensation; payment for medical services. (Chief Patron: Ware)	18
HB1123	Students and officially recognized student organizations; right to hire counsel, etc. (Chief Patron: Morris)	19
HB1143	Legislators, state and local government officers, and employees; prohibited conduct. (Chief Patron: Farrell)	19
HB1268	Public institutions of higher education; violence prevention committee policies and procedures. (Chief Patron: Hugo)	19
HJ26	Law-enforcement agencies; JLARC to study reorganizing functions under Virginia State Police. (Chief Patron: Landes)	20

HJ72	Study; SCHEV; Pay It Forward, Pay It Back; report. (Chief Patron: Toscano)	20
SB55	The University of Virginia; board of visitors. (Chief Patron: Edwards)	20
SB78	FOIA; record exemption for administrative investigations by higher educational institutions. (Chief Patron: Ruff)	21
SB79	Higher educational institutions; maintenance of optional retirement plan. (Chief Patron: Ruff)	21
SB150	Patent infringement; assertions made in bad faith. (Chief Patron: Stuart)	21
SB239	Student mental health policies; violence prevention committee. (Chief Patron: Petersen)	22
SB242	Higher education; students' personal information. (Chief Patron: McWaters)	22
SB250	Employment applications; inquiries regarding criminal arrests, charges, or convictions. (Chief Patron: McEachin)	22
SB327	Tuition, in-state; eligibility of undocumented persons. (Chief Patron: Marsden)	23
SB429	Two-Year College Transfer Grant Program; amount of grant. (Chief Patron: Hanger)	23
SB570	Campus police and school security officers; assault and battery, penalty. (Chief Patron: Stuart)	24
SB633	Higher education; tuition waiver for dependent children of faculty. (Chief Patron: Edwards)	24
SJ25	Study; SCHEV; Pay It Forward, Pay It Back; report. (Chief Patron: Edwards)	24
SJ36	Study; JLARC to study consolidation of law-enforcement agencies under the Virginia State Police. (Chief Patron: Deeds)	25
SJ47	Study; joint subcommittee to study the mental health services in the Commonwealth; report. (Chief Patron: Deeds)	25
SJ68	Confirming Governor's appointments of certain persons. (Chief Patron: Obenshain)	25

HB12 Patent infringement; assertions made in bad faith, bonding requirement not to exceed \$250,000, etc.

Chief Patron: Marshall, R.G.

Summary:

Prohibits any person from making in bad faith an assertion, claim, or allegation that a resident of the Commonwealth is infringing a patent. The measure creates a cause of action for damages and an injunction against a person threatening to bring legal action for alleged patent infringement. A court that finds that a target of an assertion of patent infringement has established a reasonable likelihood that the person has made the assertion in bad faith shall require the person to post a bond in an amount equal to the target's costs to litigate the claim and amounts reasonably likely to be recovered as damages, not to exceed \$250,000. The Attorney General is empowered to issue civil investigative demands, accept assurances of voluntary compliance, and seek injunctions. The target of a bad faith assertion or any other person aggrieved by a violation may bring an action to recover actual damages, attorney fees, and costs. If the violation was willful, damages may be increased to the greater of three times the actual damages sustained or \$50,000.

Status:

11/18/13 House: Prefiled and ordered printed; offered 01/08/14 14100179D

11/18/13 House: Referred to Committee for Courts of Justice

01/16/14 House: Impact statement from DPB (HB12)

01/17/14 House: Referred from Courts of Justice

01/17/14 House: Referred to Committee on Commerce and Labor

HB28 Higher educational institutions; admission of students domiciled in Virginia.

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 2019-2020 academic year at least 75 percent of students admitted and enrolled at the institution are domiciled in Virginia.

Status:

11/27/13 House: Prefiled and ordered printed; offered 01/08/14 14100891D

11/27/13 House: Referred to Committee on Education

01/20/14 House: Assigned Education sub: Higher Education

HB93 Employment applications; inquiries regarding criminal arrests, charges, or convictions, penalty.

Chief Patron: Krupicka

Summary:

Prohibits state agencies and private employers from including on any employment application a question inquiring whether the prospective employee has ever been arrested or charged with, or convicted of, any crime, subject to certain exceptions. A prospective employee may not be asked if he has ever been convicted of any crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may

be withdrawn if the prospective employee has a conviction record that bears a rational relationship to the duties and responsibilities of the position. A prospective employee may not be asked if he has ever been arrested or charged with a crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if (i) the prospective employee's criminal arrest or charge resulted in the prospective employee's conviction of a crime and (ii) the crime of which he was convicted bears a rational relationship to the duties and responsibilities of the position. A private employer who violates the provisions of this section is subject to a civil penalty not to exceed \$100 for each violation.

Status:

12/13/13 House: Prefiled and ordered printed; offered 01/08/14 14101094D

12/13/13 House: Referred to Committee on General Laws

01/10/14 House: Assigned GL sub: Subcommittee #4

01/16/14 House: Subcommittee recommends striking from docket

HB117 Paper and plastic bags; imposes tax of five cents on disposable bags used by purchasers,etc.

Chief Patron: Morrissey

Summary:

Imposes a tax of five cents (\$0.05) beginning on July 1, 2015, on disposable paper bags and disposable plastic bags used by purchasers to carry tangible personal property purchased in grocery stores, convenience stores, or drug stores. The following would be exempt from the tax: durable, reusable plastic bags; plastic bags used to carry ice cream, meat, fish, poultry, leftover restaurant food, newspapers, and dry cleaning; paper and plastic bags used to carry alcoholic beverages or prescription drugs; and multiple plastic bags sold in packages and intended for use as garbage, pet waste, or leaf removal bags. 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.

The bill also authorizes each county and city by ordinance to impose a tax on disposable paper bags and disposable plastic bags at the same rate and under the same terms and conditions as the state tax. Revenues from the local tax would be collected by the Tax Commissioner and distributed monthly to the county or city imposing the tax. Each county or city adopting an ordinance to impose the tax would be required to provide a certified copy of the ordinance to the Tax Commissioner at least six months prior to the date the tax is to become effective.

Status:

12/17/13 House: Prefiled and ordered printed; offered 01/08/14 14100982D

12/17/13 House: Referred to Committee on Finance

01/12/14 House: Impact statement from TAX (HB117)

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

01/15/14 House: Subcommittee recommends laying on the table

HB132 Commissioned officers; tuition-free instruction at higher educational institutions.

Chief Patron: Lingamfelter

Summary:

Adds the departments of emergency management, emergency services, public safety, and disaster management to the

list of departments at state institutions of higher education in which commissioned officers of the organized militia and the Governor's military staff may receive instruction for a period not exceeding 10 months without being required to pay any fee or charge for tuition.

Status:

12/18/13 House: Prefiled and ordered printed; offered 01/08/14 14100961D

12/18/13 House: Referred to Committee on Education

01/10/14 House: Assigned Education sub: Higher Education

01/14/14 House: Subcommittee recommends reporting with amendment(s) (7-Y 0-N)

HB133 Two-Year College Transfer Grant Program; amount of award and eligibility criteria.

Chief Patron: Cole

Summary:

Increases from \$8,000 to \$12,000 the maximum Expected Family Contribution, as calculated by the federal government using the family's financial information reported on the Free Application for Federal Student Aid (FAFSA), for a student to be eligible for the Two-Year College Transfer Grant Program. The bill permits a student to enroll in a four-year institution by the spring following the award of an associate's degree and remain eligible for a grant under the program. Current law requires a student to enroll in a four-year institution by the following fall to be eligible. The bill also provides that the amount of each award will be determined in the appropriation act. Under current law, each award is fixed at \$1,000 per student per year.

Status:

12/18/13 House: Prefiled and ordered printed; offered 01/08/14 14101459D

12/18/13 House: Referred to Committee on Education

01/10/14 House: Assigned Education sub: Higher Education

01/14/14 House: Impact statement from DPB (HB133)

01/14/14 House: Subcommittee recommends reporting with amendment(s) (7-Y 0-N)

HB137 Higher educational institutions; admission and enrollment of students domiciled in Virginia.

Chief Patron: Ramadan

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, shall establish rules and regulations requiring that at least 75 percent of students admitted and enrolled at the institution are domiciled in Virginia. The bill requires each board of visitors or governing board to recover any lost revenue by increasing the tuition charged to out-of-state students.

Status:

12/18/13 House: Prefiled and ordered printed; offered 01/08/14 14102408D

12/18/13 House: Referred to Committee on Education

01/20/14 House: Assigned Education sub: Higher Education

HB144 Higher educational institutions; admission of students domiciled in Virginia.

Chief Patron: Hugo

Summary:

Provides that the board of visitors or other governing body of each public institution of higher education, except for the Virginia Military Institute, Norfolk State University, and Virginia State University, shall establish rules and regulations requiring that by the start of the 2019-2020 academic year at least 75 percent of undergraduate students admitted at the institution are domiciled in Virginia. The bill requires each board of visitors or governing board to recover any lost revenue by increasing the tuition charged to out-of-state undergraduate students.

Status:

12/20/13 House: Prefiled and ordered printed; offered 01/08/14 14101151D

12/20/13 House: Referred to Committee on Education

01/20/14 House: Assigned Education sub: Higher Education

HB173 Electronic devices; search without warrant prohibited.

Chief Patron: Farrell

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:

12/23/13 House: Prefiled and ordered printed; offered 01/08/14 14100584D

12/23/13 House: Referred to Committee for Courts of Justice

01/10/14 House: Assigned Courts sub: Criminal

HB178 Virginia Retirement System; assumed rate of return on investments for employer contributions.

Chief Patron: Farrell

Summary:

Provides that if the General Assembly adopts an assumed rate of return on investments that is different from the rate used by the Board of the Virginia Retirement System (VRS) in determining employer contribution rates for contributions to VRS, the Board shall recalculate the employer contribution rate for each employer to incorporate the assumed rate of return adopted by the General Assembly. The Board is required to provide each employer with its adjusted employer contribution rate as soon as possible.

Status:

12/23/13 House: Prefiled and ordered printed; offered 01/08/14 14100797D

12/23/13 House: Referred to Committee on Appropriations

01/10/14 House: Assigned App. sub: Compensation and Retirement

01/13/14 House: Impact statement from VRS (HB178)

HB205 Student-athlete discipline policies; brd. of visitors of higher ed. institutions to establish.

Chief Patron: Landes

Summary:

Requires the board of visitors or other governing board of each public institution of higher education in the Commonwealth to establish and enforce policies for the discipline of students who participate in varsity intercollegiate athletics.

Status:

12/26/13 House: Prefiled and ordered printed; offered 01/08/14 14102197D

12/26/13 House: Referred to Committee on Education

01/13/14 House: Impact statement from DPB (HB205)

01/20/14 House: Assigned Education sub: Higher Education

HB206 Higher educational institutions, four-year; mental health resources, online module and assessment.

Chief Patron: Hope

Summary:

Requires each four-year public institution of higher education in the Commonwealth to create and feature on its website a page with information dedicated solely to the mental health resources available to students at the institution. The bill requires the Department of Behavioral Health and Developmental Services, in conjunction with the State Council of Higher Education for Virginia, to create (i) a website that directs students to each institution's mental health resources page, (ii) an online interactive module on mental health, and (iii) a criterion-referenced online assessment to test each student's comprehension of the content of the module. The bill requires each incoming student to participate in the module and receive a passing score on the assessment.

The bill also requires the governing board of each public institution of higher education to develop and implement policies that advise students, faculty, and staff, including residence hall staff, of the proper procedures for identifying and addressing the needs of students exhibiting symptoms of depression, anxiety, or self-destructive behavior in addition to suicidal tendencies or behavior as required in current law. The bill has a delayed effective date of July 1, 2015.

Status:

12/26/13 House: Prefiled and ordered printed; offered 01/08/14 14103101D

12/26/13 House: Referred to Committee for Courts of Justice

HB219 Virginia Freedom of Information Act; record exemption for certain letters of recommendation.

Chief Patron: Albo

Summary:

Adds a record exemption for educational institutions for confidential letters and statements of recommendation placed in the records of educational agencies or institutions respecting an application for promotion.

Status:

12/27/13 House: Prefiled and ordered printed; offered 01/08/14 14100855D

12/27/13 House: Referred to Committee on General Laws

01/10/14 House: Assigned GL sub: Subcommittee #2

01/14/14 House: Impact statement from DPB (HB219)

01/16/14 House: Subcommittee recommends reporting (6-Y 0-N)

HB238 Higher educational institutions; spending of tuition.

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:

12/28/13 House: Prefiled and ordered printed; offered 01/08/14 14100917D

12/28/13 House: Referred to Committee on Education

01/10/14 House: Assigned Education sub: Higher Education

HB240 Long-Term Care Ombudsman, Office of State; access to clients, patients, individuals, etc., records.

Chief Patron: O'Bannon

Summary:

Provides that the entity designated by the Department for Aging and Rehabilitative Services to operate the programs of the Office of the State Long-Term Care Ombudsman shall have access to adult day care centers, assisted living facilities, nursing facilities and nursing homes, hospices, home care organizations, providers licensed by the Department of Behavioral Health and Developmental Services, state hospitals, and training centers; their clients, patients, and individuals receiving services; and the records of those clients, patients, and individuals receiving services, for the purposes of investigating complaints referred to the program.

Status:

12/29/13 House: Prefiled and ordered printed; offered 01/08/14 14101547D

12/29/13 House: Referred to Committee on Health, Welfare and Institutions

01/09/14 House: Assigned HWI sub: # 1

01/14/14 House: Impact statement from DPB (HB240)

HB258 Higher educational institutions; restrictions on student speech, limitations.

Chief Patron: Lingamfelter

Summary:

Prohibits public institutions of higher education from imposing restrictions on the time, place, and manner of student speech that occurs in the outdoor areas of the institution's campus and is protected by the First Amendment to the United States Constitution unless the restrictions (i) are reasonable, (ii) are justified without reference to the content of the regulated speech, (iii) are narrowly tailored to serve a significant governmental interest, and (iv) leave open ample alternative channels for communication of the information.

Status:

12/30/13 House: Prefiled and ordered printed; offered 01/08/14 14100092D

12/30/13 House: Referred to Committee on Education

01/10/14 House: Assigned Education sub: Higher Education

01/13/14 House: Impact statement from DPB (HB258)

HB287 State Inspector General, Office of; powers and duties.

Chief Patron: Landes

Summary:

Clarifies that the powers and duties of the State Inspector General to conduct performance reviews of state agencies include assessing the effectiveness, efficiency, or economy of state programs. The bill gives the State Inspector General the discretion to refer certain complaints to the internal audit department of public institutions of higher education.

Status:

12/31/13 House: Prefiled and ordered printed; offered 01/08/14 14101801D

12/31/13 House: Referred to Committee on General Laws

01/10/14 House: Assigned GL sub: Subcommittee #4

01/13/14 House: Impact statement from DPB (HB287)

01/16/14 House: Subcommittee recommends reporting with amendment(s) (8-Y 0-N)

HB304 Prescription drugs; specialty tier coverage.

Chief Patron: O'Bannon

Summary:

Imposes dollar limits on the practice of prescription drug cost-sharing known as specialty tiers. Enrollees' coinsurance or copayment fees for specialty tier drugs will be limited to \$150 per month for up to a 30-day supply of any single specialty tier drug. Patients will also be able to request an exception to obtain a specialty drug that would not otherwise be available on a health benefit plan formulary.

Status:

12/31/13 House: Prefiled and ordered printed; offered 01/08/14 14101684D

12/31/13 House: Referred to Committee on Commerce and Labor

01/13/14 House: Assigned C & L sub: Subcommittee #1

HB310 First informer broadcaster; access to an area affected by disaster for news.

Chief Patron: Lingamfelter

Summary:

Provides that state and local governmental agencies shall grant first informer broadcasters access to an area affected by a disaster, emergency, or major disaster for the purposes of (i) disseminating news and public service and public safety information concerning the disaster, emergency, or major disaster and (ii) repairing, maintaining, or resupplying any facility necessary to the ability of the first informer broadcaster to acquire, produce, and transmit such news and information, unless granting such access would endanger public safety or inhibit recovery efforts or is otherwise inconsistent with state or federal law. The Department of Emergency Management shall, in cooperation

with representatives of broadcasters, develop a comprehensive plan for the dissemination of such news and information in the event of a disaster, emergency, or major disaster that includes the minimum training requirements for a first informer broadcaster. A first informer broadcast is defined as a radio broadcast station or a television broadcast station, cable television system, wireless-cable multipoint distribution system, satellite company, or telephone company transmitting video programming that disseminates news and public service and public safety information in the Commonwealth that has met the training requirement and has been certified by the Department.

Status:

01/02/14 House: Prefiled and ordered printed; offered 01/08/14 14102188D

01/02/14 House: Referred to Committee on Militia, Police and Public Safety

01/10/14 House: Assigned MPPS sub: Subcommittee #3

HB325 Electronic communications; right to privacy, civil action.

Chief Patron: Marshall, R.G.

Summary:

Provides that a person has a right to privacy in the content and metadata of the person's electronic communications, including emails, text messages, telephone calls, location data, mobile or cellular phone signals, or other forms of electronic communications. A person may maintain a civil action for the unauthorized use of a digital image or profile generated through the aggregation or analysis of the content or metadata of his electronic communications for advertising purposes or for the purposes of trade. The bill also creates a civil cause of action for a person whose transmissions of messages, data, signals, or other communications made through the Internet and other electronic service providers that are not intended for public disclosure have been intercepted, monitored, examined, or otherwise accessed without lawful authority against the person who intercepted, monitored, examined, or otherwise accessed such transmissions and any person who facilitated or allowed such interception, monitoring, examination, or access.

Status:

01/02/14 House: Prefiled and ordered printed; offered 01/08/14 14103276D

01/02/14 House: Referred to Committee for Courts of Justice

01/10/14 House: Assigned Courts sub: Civil

HB375 Patent infringement; assertions made in bad faith.

Companion Bill: SB150

Chief Patron: O'Quinn

Summary:

Prohibits any person from making in bad faith an assertion, allegation, or claim that a resident of the Commonwealth is infringing a patent. The measure creates a cause of action for damages and an injunction against a person threatening to bring legal action for alleged patent infringement. A court that finds that a target of an assertion of patent infringement has established a reasonable likelihood that the person has made the assertion in bad faith shall require the person to post a bond in an amount equal to the target's costs to litigate the claim and amounts reasonably likely to be recovered as damages. The Attorney General or any attorney for the Commonwealth is empowered to issue civil investigative demands, accept assurances of voluntary compliance, and seek injunctions. The target of a bad faith assertion or any other person aggrieved by a violation may bring an action to recover actual damages, fees, and costs and obtain equitable relief. If the violation was willful, damages may be increased to the greater of three times the actual damages sustained or \$50,000.

Status:

01/03/14 House: Prefiled and ordered printed; offered 01/08/14 14103256D

01/03/14 House: Referred to Committee for Courts of Justice

01/16/14 House: Impact statement from DPB (HB375)

01/17/14 House: Referred from Courts of Justice

01/17/14 House: Referred to Committee on Commerce and Labor

HB465 University of Virginia Board of Visitors; increases number of members on executive committee.

Chief Patron: Massie

Summary:

Increases from six to seven the maximum number of members of the University of Virginia Board of Visitors permitted to serve on the executive committee.

Status:

01/06/14 House: Referred to Committee on Education

01/13/14 House: Impact statement from DPB (HB465)

01/15/14 House: Reported from Education (21-Y 0-N)

01/16/14 House: Read first time

01/17/14 House: Read second time and engrossed

HB467 State Council of Higher Education for Virginia; interstate agreements.

Chief Patron: Massie

Summary:

Authorizes the State Council of Higher Education for Virginia (SCHEV) to enter into interstate reciprocity agreements authorizing postsecondary distance education. SCHEV will administer the agreements and will approve or disapprove participation in the agreements by degree-granting institutions of higher education in the Commonwealth.

Participation in the agreements by the institutions is voluntary. The bill also requires SCHEV to establish the Distance Learning Reciprocity Advisory Council, which will include representatives from each participating institution.

Status:

01/06/14 House: Prefiled and ordered printed; offered 01/08/14 14101765D

01/06/14 House: Referred to Committee on Education

01/10/14 House: Assigned Education sub: Higher Education

01/14/14 House: Impact statement from DPB (HB467)

01/14/14 House: Subcommittee recommends reporting (7-Y 0-N)

HB486 Human trafficking of children; reports and investigation.

Chief Patron: Hugo

Summary:

Requires individuals currently required to report suspected child abuse or neglect to also report suspected cases of human trafficking of a child and specifies the duties of local departments of social services and courts with regard to investigating complaints of suspected human trafficking of a child.

Status:

01/06/14 House: Prefiled and ordered printed; offered 01/08/14 14102854D
01/06/14 House: Referred to Committee on Health, Welfare and Institutions
01/14/14 House: Referred from Health, Welfare and Institutions
01/14/14 House: Referred to Committee for Courts of Justice
01/16/14 House: Assigned Courts sub: Criminal Law

HB490 Health care providers; electronic medical records.

Chief Patron: Albo

Summary:

Requires health care providers, upon request of a patient or the patient's attorney to provide the patient with the metadata of the patient's electronic medical record. The bill defines "metadata" for the purposes of this provision.

Status:

01/06/14 House: Prefiled and ordered printed; offered 01/08/14 14101009D
01/06/14 House: Referred to Committee for Courts of Justice
01/09/14 House: Assigned Courts sub: Civil

HB496 Assault and battery; of campus police, penalty.

Chief Patron: Yost

Summary:

Adds campus police officers to the list of persons for which an enhanced penalty applies if such person is victimized because of his position.

Status:

01/06/14 House: Prefiled and ordered printed; offered 01/08/14 14102373D
01/06/14 House: Referred to Committee for Courts of Justice
01/07/14 House: Impact statement from VCSC (HB496)
01/20/14 House: Impact statement from DPB (HB496)

HB501 Tuition, in-state; counting out-of-state students for certain purposes.

Chief Patron: Lingamfelter

Summary:

Requires students who live outside the Commonwealth, have been employed full time inside Virginia for at least one year, and were granted in-state tuition to be counted as in-state students for the purposes of determining college admissions, enrollment, and tuition and fee revenue policies. The bill requires (i) any person who is enrolled in certain programs, domiciled in, and entitled to reduced tuition charges in a Southern Regional Education Compact member state that has similar reciprocal provisions for persons domiciled in Virginia, (ii) any student from a foreign country who is enrolled in a foreign exchange program during the same period that an exchange student from the same state institution entitled to in-state tuition is attending the foreign institution, (iii) any high school or magnet school student who is enrolled in courses specifically designed as part of the high school or magnet school curriculum in a community college pursuant to a dual enrollment agreement, and (iv) any active duty members, activated guard or reservist members, or guard or reservist members mobilized or on temporary active orders for six months or more

residing in Virginia granted in-state tuition to be counted as out-of-state students for the purposes of determining college admissions, enrollment, and tuition and fee revenue policies.

Status:

01/06/14 House: Prefiled and ordered printed; offered 01/08/14 14102007D

01/06/14 House: Referred to Committee on Education

01/10/14 House: Assigned Education sub: Higher Education

HB510 Use of federal funds; appropriation required.

Chief Patron: Morris

Summary:

Prohibits state agencies and state officials, officers, and employees from disbursing, allotting, collateralizing, encumbering, committing, or otherwise using federal moneys or funds unless there is in effect an appropriation enacted by the General Assembly that specifically describes or defines the federal moneys or funds and how they are to be used.

Status:

01/06/14 House: Prefiled and ordered printed; offered 01/08/14 14100037D

01/06/14 House: Referred to Committee on Appropriations

01/10/14 House: Assigned App. sub: General Government & Capital Outlay

HB532 Governor; state agencies' use of public media to influence proposed actions.

Chief Patron: Marshall, R.G.

Summary:

Requires the Governor to ensure that no state agency uses or attempts to use appropriated funds or grant or contract funds to solicit pressure on state or local government officials through the use of public media. The bill excludes (i) the publication of notices in accordance with the Virginia Public Procurement Act (§ 2.2-4300 et seq.), the Public-Private Transportation Act of 1995 (§ 56-556 et seq.), or the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.); (ii) the soliciting of public comment or soliciting as may be required or permitted by law; or (iii) other ministerial acts if there is no attempt to use appropriated funds in violation. The bill defines "public media" and "state agency" and provides that the provisions of the bill shall not be construed to inhibit the necessary flow of information and communication between the executive and legislative branches of government but are intended to prevent any inappropriate or undue influence on executive or legislative matters or processes.

Status:

01/06/14 House: Prefiled and ordered printed; offered 01/08/14 14103432D

01/06/14 House: Referred to Committee on General Laws

01/10/14 House: Assigned GL sub: Subcommittee #4

01/16/14 House: Subcommittee recommends laying on the table

HB544 Public institutions of higher education; violence prevention committee policies and procedures.

Chief Patron: Filler-Corn

Summary:

Requires the violence prevention committee of each public institution of higher education to establish policies and procedures to encourage all faculty and staff to report threatening or aberrant behavior that may represent a threat to the community and to self to members of the campus community identified by the committee.

Status:

01/06/14 House: Prefiled and ordered printed; offered 01/08/14 14101746D

01/06/14 House: Referred to Committee on Education

01/10/14 House: Assigned Education sub: Higher Education

01/14/14 House: Impact statement from DPB (HB544)

HB571 State Inspector General, Office of; powers and duties.

Chief Patron: Landes

Summary:

Clarifies that the powers and duties of the State Inspector General to conduct performance reviews of state agencies also include assessing the effectiveness, efficiency, or economy of state programs. The bill gives the State Inspector General the discretion to refer certain complaints to the internal audit department of public institutions of higher education. The bill also exempts from the mandatory disclosure provisions of FOIA investigative notes, correspondence and information furnished in confidence, and records otherwise exempted by law that are provided to or produced by or for internal auditors appointed by (i) state agency heads or (ii) the board of visitors of public institutions of higher education. The bill contains technical amendments.

Status:

01/07/14 House: Prefiled and ordered printed; offered 01/08/14 14101803D

01/07/14 House: Referred to Committee on General Laws

01/10/14 House: Assigned GL sub: Subcommittee #4

01/14/14 House: Impact statement from DPB (HB571)

01/16/14 House: Subcommittee recommends reporting with amendment(s) (8-Y 0-N)

HB696 Higher education; changes name of Virginia Guaranteed Assistance Program.

Chief Patron: Krupicka

Summary:

Changes the name of the Virginia Guaranteed Assistance Program to Virginia College for All and establishes eligibility criteria for public institutions of higher education to participate, including guarantees that (i) all enrolled undergraduate students from low-income families can afford the full cost of attendance associated with the institution without incurring student loan debt and (ii) all enrolled undergraduate students from middle-income families can attend and complete a degree-granting program within 150 percent of the standard time for completion without incurring any interest on loans to cover tuition and required fees, subject to the availability of funds necessary to meet such a guarantee. The bill establishes criteria for renewal and nonrenewal of grants and loans pursuant to the Program and does not affect the award of any current Virginia Guaranteed Assistance Program recipient.

Status:

01/07/14 House: Prefiled and ordered printed; offered 01/08/14 14102175D

01/07/14 House: Referred to Committee on Education

01/10/14 House: Assigned Education sub: Higher Education
01/14/14 House: Subcommittee recommends striking from docket (7-Y 0-N)

HB698 Campus police and school security officers; assault and battery, penalty.

Companion Bill: SB570

Chief Patron: Ransone

Summary:

Adds campus police officers and school security officers and includes all full-time or part-time school personnel to the list of persons for which an enhanced penalty applies if such person is victimized because of his position.

Status:

01/07/14 House: Prefiled and ordered printed; offered 01/08/14 14101395D

01/07/14 House: Referred to Committee for Courts of Justice

01/08/14 House: Impact statement from VCSC (HB698)

01/20/14 House: Impact statement from DPB (HB698)

HB700 Higher educational institutions; optional retirement plans maintained by institution.

Companion Bill: SB79

Chief Patron: Ingram

Summary:

Allows the governing board of an institution of higher education that has established its own optional retirement plan to establish a policy regarding the number of years of service that an employee must perform before being entitled to receive all contributions made by the institution on his behalf to the plan. The policy would only apply to employees hired on or after July 1, 2014, who are not in continuous service at the time of hiring.

Status:

01/07/14 House: Prefiled and ordered printed; offered 01/08/14 14102074D

01/07/14 House: Referred to Committee on Appropriations

01/13/14 House: Impact statement from DPB (HB700)

HB703 FOIA; record exemption for administrative investigations by higher educational institutions.

Companion Bill: SB78

Chief Patron: Gilbert

Summary:

Exempts from FOIA administrative investigations conducted by a public institution of higher education relating to individual employment discrimination complaints or audits/investigations of any officer, department, or program at such institutions.

Status:

01/07/14 House: Prefiled and ordered printed; offered 01/08/14 14100282D

01/07/14 House: Referred to Committee on General Laws

01/10/14 House: Assigned GL sub: Subcommittee #2

01/14/14 House: Impact statement from DPB (HB703)

HB711 Department of Human Resource Management; universal leave system for classified employees.

Chief Patron: Campbell

Summary:

Requires the Director of the Department of Human Resource Management to develop a universal leave system for classified employees to be effective January 1, 2015. The bill sets out the provisions that must be included in a universal leave system and requires the Director to report on the development of this new leave system on or before December 1, 2014.

Status:

01/07/14 House: Prefiled and ordered printed; offered 01/08/14 14102298D

01/07/14 House: Referred to Committee on General Laws

01/10/14 House: Assigned GL sub: Subcommittee #4

HB728 Fraud and Abuse Whistle Blower Protection Act; discriminatory and retaliatory action.

Chief Patron: Lingamfelter

Summary:

Provides that a whistle blower may bring a civil action for violation of discriminatory and retaliatory action provisions of the Fraud and Abuse Whistle Blower Protection Act. The bill provides that in a proceeding commenced against any employer, if the court finds that a violation was willfully and knowingly made, it shall impose on the officer, employee, or member in his individual capacity a civil penalty of not less than \$500 nor more than \$2,500. The bill also establishes a three-year statute of limitations and authorizes the court to order other appropriate remedies.

Status:

01/07/14 House: Prefiled and ordered printed; offered 01/08/14 14100271D

01/07/14 House: Referred to Committee for Courts of Justice

01/10/14 House: Assigned Courts sub: Civil

01/14/14 House: Impact statement from DPB (HB728)

HB729 Tax restructuring; modifies individual income and retail sales and use taxes.

Chief Patron: Lingamfelter

Summary:

Modifies the individual income and retail sales and use taxes by lowering the top three individual income marginal tax rates, increasing the individual income tax filing thresholds, repealing the retail sales and use tax on food, increasing the state retail sales and use tax from 4.3 percent to 5.0 percent except in the counties and cities located in the Hampton Roads and Northern Virginia Planning Districts, extending the retail sales and use tax to certain personal services that are currently exempt from the tax, and eliminating the retail sales and use tax exemption for nonprofit entities with at least \$1 million in gross revenue.

The bill lowers the tax on individual income (i) in excess of \$17,000 from 5.75 percent to 5.5 percent, (ii) between \$5,000 and \$17,000 from 5.0 percent to 4.9 percent, and (iii) between \$3,000 and \$5,000 from 3.0 percent to 2.95 percent. The bill increases the income threshold at which an individual income tax return must be filed from

\$11,950 to \$15,000 for single persons and from \$23,900 to \$30,000 for married persons.

The bill increases the state retail sales and use tax from 4.3 percent to 5.0 percent throughout Virginia except in Hampton Roads and Northern Virginia. The end result would be a 5.0 percent state retail sales and use tax in all regions of the Commonwealth beginning in 2015. An amount equal to the revenues generated by the increase would be distributed from the Transportation Trust Fund to each planning district in the Commonwealth in which the revenue was generated to be used solely in the planning district for new construction projects on new or existing roads, bridges, and tunnels or mass transit.

The retail sales and use tax increase would become effective on January 1, 2015, and the individual income tax changes would become effective for taxable years beginning on and after January 1, 2015.

Status:

01/07/14 House: Prefiled and ordered printed; offered 01/08/14 14100650D

01/07/14 House: Referred to Committee on Finance

HB731 Virginia Fraud Against Taxpayers Act; civil damages for employment discrimination.

Chief Patron: Lingamfelter

Summary:

Allows the person bringing the civil action for a violation of the Virginia Fraud Against Taxpayers Act to include as a named party the officer or employee of the Commonwealth alleged to have committed the violation. The bill further provides that in an action seeking relief from employment discrimination connected to an employee's involvement in furtherance of an action under the Act, if the court finds that an individual named as a party knowingly or willfully discriminated against an employee, contractor, or agent, the court shall order that such individual contribute to any relief awarded to be paid by the Commonwealth in an amount not to exceed \$2,500. The contribution shall be paid directly by the individual.

Status:

01/07/14 House: Prefiled and ordered printed; offered 01/08/14 14101555D

01/07/14 House: Referred to Committee for Courts of Justice

01/10/14 House: Assigned Courts sub: Civil

HB781 Students; members of various education boards.

Chief Patron: Futrell

Summary:

Adds one student member to the Board of Education, each local school board, the board of visitors of each four-year public institution of higher education, the State Board for Community Colleges, each local community college board, and the State Council of Higher Education for Virginia. The bill requires the Governor to make such appointments for two-year terms. The bill specifies that student members are voting members on all nonfiscal issues.

Status:

01/07/14 House: Prefiled and ordered printed; offered 01/08/14 14102704D

01/07/14 House: Referred to Committee on Education

01/10/14 House: Assigned Education sub: Higher Education

01/16/14 House: Impact statement from DPB (HB781)

HB788 Virginia Freedom of Information Act; out-of-state requests for records.

Chief Patron: LeMunyon

Summary:

Sets out the process for public bodies to respond to record requests made by out-of-state requesters.

Status:

01/07/14 House: Prefiled and ordered printed; offered 01/08/14 14101950D

01/07/14 House: Referred to Committee on General Laws

01/10/14 House: Assigned GL sub: Subcommittee #2

HB813 Electronic devices; search without warrant prohibited.

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:

01/07/14 House: Prefiled and ordered printed; offered 01/08/14 14101726D

01/07/14 House: Referred to Committee for Courts of Justice

01/13/14 House: Assigned Courts sub: Criminal

HB886 Higher Education for Virginia, State Council of; postsecondary education and employment data.

Chief Patron: Peace

Summary:

Requires the State Council of Higher Education to contract with private entities to create de-identified student records for the purpose of assessing (i) the performance of institutions and specific programs relative to the workforce needs of the Commonwealth, (ii) rates of enrollment in remedial coursework, (iii) individual student credit accumulation, (iv) rates of postsecondary degree completion, and (v) any other information that the Council determines is necessary to address adequate preparation for success in postsecondary education and alignment between secondary and postsecondary education. Current law allows the Council to contract with private entities to create de-identified student records for the purpose of assessing the performance of institutions and specific programs relative to workforce needs. The bill also requires (a) the Council to disseminate postsecondary education and employment data to each public secondary school and each institution of higher education in the Commonwealth and (b) each of these institutions to provide its students and their parents with the opportunity to view a copy of the education and employment data received from the Council.

Status:

01/08/14 House: Prefiled and ordered printed; offered 01/08/14 14100033D

01/08/14 House: Referred to Committee on Education

01/17/14 House: Assigned Education sub: Higher Education

HB892 State employment; questions about criminal convictions, arrests, and charges.

Chief Patron: Krupicka

Summary:

Prohibits state agencies from including on any employment application a question inquiring whether the prospective employee has ever been arrested or charged with, or convicted of, any crime, subject to certain exceptions. Subject to certain exceptions, a state agency shall not inquire whether a prospective employee has been convicted of, arrested for, or charged with a crime prior to interviewing the prospective employee. During an interview, the state agency may ask if the prospective employee has a conviction of, has been arrested for, or has been charged with a specific crime or type of crime that bears a rational relationship to the duties and responsibilities of the position.

Status:

01/08/14 House: Prefiled and ordered printed; offered 01/08/14 14103335D

01/08/14 House: Referred to Committee for Courts of Justice

01/10/14 House: Assigned Courts sub: Criminal

HB946 Workers' compensation; fee schedule for medical care services; limitations; 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, 2015, 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 Commission is directed to promulgate regulations establishing medical care fee schedules governing all medical care services rendered pursuant to the Act. The regulations implementing the schedules shall become effective on October 1, 2015. The bill requires the medical care fee schedule regulations to (i) initially be based on Medicare, (ii) utilize Medicare coding and reimbursement rules, (iii) be comprehensive in scope, and (iv) address fees of physicians and surgeons, hospitals, ambulatory surgical centers, ancillary services provided by other health care facilities and providers, and pharmacy and pharmaceutical services. The measure provides that certain initial fee schedule regulations shall apply uniform conversion factors of up to 150 percent of Medicare base reimbursement rates in determining reimbursement levels. The Commission is directed annually to review and revise the fee schedules, provided that if revisions address changes in inflation, the increase is capped at three percent per year. The Commission shall have an independent, peer-reviewed study conducted every two years. The measure prohibits bringing a claim for payment of charges for services rendered under the Act by a health care provider more than one year from the later of the date of service for which payment is sought or the date a medical award covering such service becomes final. Finally, the bill requires an insurer or self-insured employer, effective October 1, 2015, 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 and award interest if the employee has paid for the services.

Status:

01/08/14 House: Prefiled and ordered printed; offered 01/08/14 14103202D

01/08/14 House: Referred to Committee on Commerce and Labor

01/15/14 House: Assigned C & L sub: Special Workers Comp

HB995 Income, and sales and use taxes; expiration dates for various credits and exemptions.

Chief Patron: Hugo

Summary:

Places two-year expiration dates on various income tax credits and sales and use tax exemptions. The revenue attributable to the expiration of these credits and exemptions shall be used to lower the corporate income tax rate.

Status:

01/08/14 House: Prefiled and ordered printed; offered 01/08/14 14102897D

01/08/14 House: Referred to Committee on Finance

01/19/14 House: Impact statement from TAX (HB995)

HB1053 State Inspector General, Office of; powers and duties.

Chief Patron: Miller

Summary:

Provides that the performance review of a state agency conducted by the Office of the Inspector General include assessment of the effectiveness, efficiency, or economy of the agency's programs. The bill gives the State Inspector General the discretion to refer certain complaints to the internal audit department of public institutions of higher education. In addition, the bill exempts from mandatory disclosure under the Virginia Freedom of Information Act the investigative notes, correspondence and information furnished in confidence, and records otherwise exempted by law that are provided to or produced by or for internal auditors appointed by the head of a state agency or the board of visitors of a public institution of higher education. The bill contains technical amendments.

Status:

01/08/14 House: Presented and ordered printed 14102966D

01/08/14 House: Referred to Committee on General Laws

01/16/14 House: Impact statement from DPB (HB1053)

01/17/14 House: Assigned GL sub: Subcommittee #4

HB1083 Workers' compensation; payment for medical services.

Chief Patron: Ware

Summary:

Limits the liability of an employer for medical treatment provided to an injured person that is rendered by a nurse practitioner or physician assistant serving as an assistant-at-surgery to no more than 20 percent of the charge of the physician performing the surgery. The measure requires multiple procedures associated with medical, surgical, and hospital services rendered on or after July 1, 2014, to be coded and billed with appropriate CPT modifiers and paid according to the National Correct Coding Initiative rules. The measure also (i) establishes prompt payment requirements with respect to health care services provided under the Workers' Compensation Act; (ii) prohibits an employer or insurer from seeking recovery of a payment made to a health care provider for health care services rendered after July 1, 2014, absent fraud, unless recovery is sought less than one year from the date payment was made; and (iii) prohibits a health care provider from submitting a claim to the Workers' Compensation Commission contesting the sufficiency of payment for health care services rendered to a claimant on or after July 1, 2014, unless such claim is filed within one year from the date of service for which payment is sought, the date the employer or

insurer notifies the provider that payment is denied, or the last date payment was made, whichever occurs last.

Status:

01/09/14 House: Presented and ordered printed 14103623D

01/09/14 House: Referred to Committee on Commerce and Labor

01/15/14 House: Assigned C & L sub: Special Workers Comp

HB1123 Students and officially recognized student organizations; right to hire counsel, etc.

Chief Patron: Morris

Summary:

Grants (i) any student enrolled at a public institution of higher education who is accused of a violation of the institution's rules and regulations for the conduct of students that is punishable by a suspension of more than 10 days or expulsion and (ii) any officially recognized student organization accused of a violation of the institution's rules and regulations for the conduct of students the right to hire counsel. The bill also gives such students and student organizations the right to review of the final decision of the institution in the appropriate circuit court within one year and requires the court to award successful petitioners compensatory damages, reasonable court costs, attorney fees, including expert fees, and any other relief in equity or law that the court deems appropriate, including (a) a de novo rehearing at the public institution of higher education and (b) monetary damages of not less than the cost of tuition paid by the student, or on the student's behalf, to the public institution of higher education for the semester during which the alleged violation occurred plus monetary damages of not less than the amount of any scholarship funding lost as a result of the campus discipline.

Status:

01/13/14 House: Presented and ordered printed 14103671D

01/13/14 House: Referred to Committee on Education

01/17/14 House: Assigned Education sub: Elementary and Secondary Education

01/20/14 House: Assigned Education sub: Higher Education

HB1143 Legislators, state and local government officers, and employees; prohibited conduct.

Chief Patron: Farrell

Summary:

Prohibits a member of the General Assembly or a state or local government officer or employee from using his public position to retaliate or threaten retaliation against any person for expressing views on matters of public concern or for exercising any right that is otherwise protected by law.

Status:

01/14/14 House: Presented and ordered printed 14103587D

01/14/14 House: Referred to Committee on Rules

01/15/14 House: Impact statement from DPB (HB1143)

HB1268 Public institutions of higher education; violence prevention committee policies and procedures.

Chief Patron: Hugo

Summary:

Public institutions of higher education; violence prevention committee policies and procedures.

Status:

01/17/14 House: Presented and ordered printed 14104193D

01/17/14 House: Committee

01/17/14 House: Committee Referral Pending

HJ26 Law-enforcement agencies; JLARC to study reorganizing functions under Virginia State Police.

Chief Patron: Landes

Summary:

Directs the Joint Legislative Audit and Review Commission to study reorganizing all or some state law-enforcement functions under the Virginia State Police.

Status:

12/26/13 House: Prefiled and ordered printed; offered 01/08/14 14102134D

12/26/13 House: Referred to Committee on Rules

HJ72 Study; SCHEV; Pay It Forward, Pay It Back; report.

Companion Bill: SJ25

Chief Patron: Toscano

Summary:

Directs the State Council of Higher Education for Virginia to study the feasibility of implementing a "Pay It Forward, Pay It Back" higher education financing tuition model to increase access to educational opportunities and to decrease the debt burden on students in the Commonwealth.

Status:

01/06/14 House: Prefiled and ordered printed; offered 01/08/14 14102875D

01/06/14 House: Referred to Committee on Rules

SB55 The University of Virginia; 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:

12/17/13 Senate: Prefiled and ordered printed; offered 01/08/14 14100269D

12/17/13 Senate: Referred to Committee on Education and Health

01/08/14 Senate: Assigned Education sub: Higher Education

01/13/14 Senate: Impact statement from DPB (SB55)

SB78 FOIA; record exemption for administrative investigations by higher educational institutions.

Companion Bill: HB703

Chief Patron: Ruff

Summary:

Exempts from FOIA administrative investigations conducted by a public institution of higher education relating to individual employment discrimination complaints or audits/investigations of any officer, department, or program at such institutions.

Status:

12/20/13 Senate: Prefiled and ordered printed; offered 01/08/14 14100512D

12/20/13 Senate: Referred to Committee on General Laws and Technology

01/14/14 Senate: Impact statement from DPB (SB78)

SB79 Higher educational institutions; maintenance of optional retirement plan.

Companion Bill: HB700

Chief Patron: Ruff

Summary:

Allows the governing board of an institution of higher education to establish a policy regarding the number of years of creditable service that an employee must have before being eligible for an unreduced refund of his accumulated contributions if he ceases to be an employee other than by death or retirement. The policy would only apply to employees hired on or after July 1, 2014.

Status:

01/16/14 Senate: Read second time

01/16/14 Senate: Reading of substitute waived

01/16/14 Senate: Committee substitute agreed to 14103870D-S1

01/16/14 Senate: Engrossed by Senate - committee substitute SB79S1

01/17/14 Senate: Read third time and passed Senate (38-Y 0-N)

SB150 Patent infringement; assertions made in bad faith.

Companion Bill: HB375

Chief Patron: Stuart

Summary:

Prohibits any person from making in bad faith an assertion, allegation, or claim that a resident of the Commonwealth is infringing a patent. The measure creates a cause of action for damages and an injunction against a person threatening to bring legal action for alleged patent infringement. A court that finds that a target of an assertion of patent infringement has established a reasonable likelihood that the person has made the assertion in bad faith shall require the person to post a bond in an amount equal to the target's costs to litigate the claim and amounts reasonably likely to be recovered as damages. The Attorney General or any attorney for the Commonwealth is empowered to issue civil investigative demands, accept assurances of voluntary compliance, and seek injunctions. The target of a bad faith assertion or any other person aggrieved by a violation may bring an action to recover actual damages, fees, and costs and obtain equitable relief. If the violation was willful, damages may be increased to the greater of three

times the actual damages sustained or \$50,000.

Status:

12/31/13 Senate: Referred to Committee on Commerce and Labor
01/13/14 Senate: Reported from Commerce and Labor (14-Y 0-N)
01/15/14 Senate: Constitutional reading dispensed (38-Y 0-N)
01/16/14 Senate: Passed by for the day
01/17/14 Senate: Passed by for the day

SB239 Student mental health policies; violence prevention committee.

Chief Patron: Petersen

Summary:

Requires the violence prevention committee of each public institution of higher education to establish policies and procedures to require all faculty and staff to report behavior that may represent a threat to the community and to self to members of the campus community identified by the committee. The bill also requires each violence prevention committee to include notification of family members or guardians, or both, as a sufficient means of action in the committee's policies and procedures for the assessment of individuals whose behavior may present a threat, unless such notification would prove harmful to the individual in question.

Status:

01/03/14 Senate: Prefiled and ordered printed; offered 01/08/14 14101218D
01/03/14 Senate: Referred to Committee on Education and Health
01/08/14 Senate: Assigned Education sub: Higher Education
01/14/14 Senate: Impact statement from DPB (SB239)

SB242 Higher education; students' personal information.

Chief Patron: McWaters

Summary:

Prohibits public institutions of higher education from selling, trading, releasing, or otherwise distributing students' personal information, including names, addresses, phone numbers, and social security numbers, to third-party vendors.

Status:

01/03/14 Senate: Prefiled and ordered printed; offered 01/08/14 14100349D
01/03/14 Senate: Referred to Committee on Education and Health
01/08/14 Senate: Assigned Education sub: Higher Education
01/20/14 Senate: Impact statement from DPB (SB242)

SB250 Employment applications; inquiries regarding criminal arrests, charges, or convictions.

Chief Patron: McEachin

Summary:

Prohibits state agencies from including on any employment application a question inquiring whether the prospective employee has ever been arrested or charged with, or convicted of, any crime, subject to certain exceptions. A prospective employee may not be asked if he has ever been convicted of any crime unless the inquiry takes place after

the prospective employee has received a conditional offer of employment, which offer may be withdrawn if the prospective employee has a conviction record that bears a rational relationship to the duties and responsibilities of the position. A prospective employee may not be asked if he has ever been arrested or charged with a crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if (i) the prospective employee's criminal arrest or charge resulted in the prospective employee's conviction of a crime and (ii) the crime of which he was convicted bears a rational relationship to the duties and responsibilities of the position. Localities are authorized to prohibit such inquiries.

Status:

01/03/14 Senate: Prefiled and ordered printed; offered 01/08/14 14102071D

01/03/14 Senate: Referred to Committee on General Laws and Technology

SB327 Tuition, in-state; eligibility of undocumented persons.

Chief Patron: Marsden

Summary:

Establishes that a student shall be eligible for in-state tuition if (i) he has attended a public or private high school in the Commonwealth for at least three years; (ii) he has graduated from a public or private high school in the Commonwealth or has received a General Education Development (GED) certificate in the Commonwealth; (iii) he has registered as an entering student or is enrolled in a public institution of higher education in the Commonwealth; (iv) has provided an affidavit to the institution stating that he has filed an application to become a permanent resident of the United States and is actively pursuing such permanent residency or will do so as soon as he is eligible; and (v) he has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis has filed, unless exempted by state law, Virginia income tax returns for at least three years prior to the date of enrollment.

Status:

01/06/14 Senate: Prefiled and ordered printed; offered 01/08/14 14102169D

01/06/14 Senate: Referred to Committee on Education and Health

01/08/14 Senate: Assigned Education sub: Higher Education

01/17/14 Senate: Impact statement from DPB (SB327)

SB429 Two-Year College Transfer Grant Program; amount of grant.

Chief Patron: Hanger

Summary:

Provides that the amount of the Two-Year College Transfer Grant an eligible student receives shall be based on the difference between the costs of tuition and mandatory educational and general fees paid by the recipient at a Virginia community college and either (i) for a student who transfers to a public institution of higher education, the cost of such tuition and fees at the public institution of higher education to which he has transferred or (ii) for a student who transfers to a private institution of higher education, the average cost of such tuition and fees at a Virginia four-year public institution of higher education. Current law provides for a fixed annual grant of \$1,000 with an additional \$1,000 per year for students pursuing certain undergraduate degrees. The bill also broadens eligibility for the Two-Year College Transfer Grant Program by including students whose Expected Family Contribution, as calculated by the federal government using the family's financial information reported on the Free Application for Federal Student Aid (FAFSA), is no more than \$12,000. Currently, the program is available only to students whose Expected Family

Contribution is no more than \$8,000.

Status:

01/07/14 Senate: Prefiled and ordered printed; offered 01/08/14 14103424D

01/07/14 Senate: Referred to Committee on Education and Health

01/14/14 Senate: Assigned Education sub: Higher Education

SB570 Campus police and school security officers; assault and battery, penalty.

Companion Bill: HB698

Chief Patron: Stuart

Summary:

Adds campus police officers and school security officers and includes all full-time or part-time school personnel to the list of persons for which an enhanced penalty applies if such person is victimized because of his position.

Status:

01/09/14 Senate: Presented and ordered printed 14101396D

01/09/14 Senate: Referred to Committee for Courts of Justice

01/10/14 Senate: Impact statement from VCSC (SB570)

01/20/14 Senate: Impact statement from DPB (SB570)

SB633 Higher education; tuition waiver for dependent children of faculty.

Chief Patron: Edwards

Summary:

Authorizes public institutions of higher education to grant full or partial tuition waivers to dependent students of faculty members employed by the institution, to be paid out of the institution's nongeneral funds. The bill would also authorize public institutions to enter into reciprocal agreements that would allow the dependents of faculty to use waivers at other public institutions that are party to the agreement.

Status:

01/17/14 Senate: Presented and ordered printed 14103171D

01/17/14 Senate: Referred to Committee on Education and Health

SJ25 Study; SCHEV; Pay It Forward, Pay It Back; report.

Companion Bill: HJ72

Chief Patron: Edwards

Summary:

Directs the State Council of Higher Education for Virginia to study the feasibility of implementing a "Pay It Forward, Pay It Back" higher education tuition financing model to increase access to educational opportunities and to decrease the debt burden on students in the Commonwealth.

Status:

12/31/13 Senate: Prefiled and ordered printed; offered 01/08/14 14100193D

12/31/13 Senate: Referred to Committee on Rules

01/17/14 Senate: Rereferred from Rules

01/17/14 Senate: Rereferred to Finance

SJ36 Study; JLARC to study consolidation of law-enforcement agencies under the Virginia State Police.

Chief Patron: Deeds

Summary:

Directs the Joint Legislative Audit and Review Commission to study consolidation of all state law-enforcement agencies under the Virginia State Police.

Status:

01/03/14 Senate: Prefiled and ordered printed; offered 01/08/14 14100119D

01/03/14 Senate: Referred to Committee on Rules

01/17/14 Senate: Continued to 2015 in Rules

SJ47 Study; joint subcommittee to study the mental health services in the Commonwealth; report.

Chief Patron: Deeds

Summary:

Establishes a new joint subcommittee to study the delivery of mental health services, including laws governing the provision of mental health services and the system of emergency, short-term, forensic, and long-term mental health services in the Commonwealth.

Status:

01/06/14 Senate: Prefiled and ordered printed; offered 01/08/14 14101821D

01/06/14 Senate: Referred to Committee on Rules

01/17/14 Senate: Reported from Rules with substitute

01/17/14 Senate: Rereferred to Finance

01/20/14 Senate: Incorporates SB301

SJ68 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, 2013.

Status:

01/07/14 Senate: Referred to Committee on Privileges and Elections

01/10/14 Senate: Assigned to P&E sub: Certificate, Oath and Confirmation

01/14/14 Senate: Reported from Privileges and Elections (14-Y 0-N)

01/16/14 Senate: Reading waived (38-Y 0-N)

01/17/14 Senate: Read second time and engrossed