

Legislative Report
University of Virginia -- Office of State Governmental Relations
April 11, 2014

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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: Referred to Committee for Courts of Justice
01/17/14 House: Referred from Courts of Justice
01/17/14 House: Referred to Committee on Commerce and Labor
01/23/14 House: Impact statement from DPB (HB12)
02/12/14 House: Left in 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: Referred to Committee on Education
01/20/14 House: Assigned Education sub: Higher Education
01/23/14 House: Impact statement from DPB (HB28)
02/04/14 House: Subcommittee recommends laying on the table
02/12/14 House: Left in Education

HB29 Budget Bill.

Chief Patron: Jones

Summary:

Amending Chapter 806, 2013 Acts of Assembly.

Status:

02/26/14 Senate: Senators: Stosch, Colgan, Norment, Hanger, Saslaw, Howell

02/26/14 House: Conferees appointed by House
02/26/14 House: Delegates: Jones, Cox, Landes, O'Bannon, Greason, Joannou
03/08/14 House: No further action taken
03/08/14 House: Failed to pass in House

HB30 Budget Bill.

Chief Patron: Jones

Summary:

Appropriations of the Budget submitted by the Governor of Virginia providing a portion of revenues for the two years ending respectively on the thirtieth day of June, 2015, and the thirtieth day of June, 2016.

Status:

02/26/14 Senate: Senators: Colgan, Hanger, Norment, Howell, Saslaw, Watkins
02/26/14 House: Conferees appointed by House
02/26/14 House: Delegates: Jones, Cox, Landes, O'Bannon, Greason, Joannou
03/08/14 House: No further action taken
03/08/14 House: Failed to pass in House

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
01/21/14 House: Stricken from docket by General Laws

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: 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
02/12/14 House: Left in Finance

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. The bill requires the State Council of Higher Education for Virginia, in consultation with the Department of Veterans Services, to establish guidelines for the implementation of such additions.

Status:

03/06/14 House: Bill text as passed House and Senate (HB132ER)
03/06/14 House: Impact statement from DPB (HB132ER)
03/06/14 House: Signed by Speaker
03/09/14 Senate: Signed by President
04/07/14 House: Governor's recommendation received by House

HB133 Two-Year College Transfer Grant Program; eligibility criteria.

Chief Patron: Cole

Summary:

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.

Status:

03/17/14 House: Bill text as passed House and Senate (HB133ER)

03/17/14 Senate: Signed by President

03/18/14 House: Impact statement from DPB (HB133ER)

03/18/14 House: Signed by Speaker

04/07/14 House: Governor's recommendation received by House

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: Referred to Committee on Education

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

01/23/14 House: Impact statement from DPB (HB137)

02/04/14 House: Subcommittee recommends laying on the table

02/12/14 House: Left in 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: Referred to Committee on Education

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

01/29/14 House: Impact statement from DPB (HB144)

02/04/14 House: Subcommittee recommends laying on the table

02/12/14 House: Left in 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

02/05/14 House: Subcommittee recommends laying on the table

02/12/14 House: Left in Courts of Justice

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: Referred to Committee on Appropriations

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

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

01/30/14 House: Subcommittee recommends striking from docket

02/12/14 House: Left in Appropriations

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 policies for the discipline of students who participate in varsity intercollegiate athletics. The bill requires such policies to include a provision requiring an annual report by the administration of the institution to the board of visitors or other governing board regarding enforcement actions taken pursuant to such policies.

Status:

03/06/14 House: Bill text as passed House and Senate (HB205ER)

03/06/14 House: Impact statement from DPB (HB205ER)

03/06/14 House: Signed by Speaker

03/09/14 Senate: Signed by President

04/04/14 Governor: Approved by Governor-Chapter 557 (effective 7/1/14)

HB206 Higher educational institutions, 4-year; mental health resources available to students on website.

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 has a delayed effective date of July 1, 2015.

Status:

03/06/14 House: Bill text as passed House and Senate (HB206ER)

03/06/14 House: Signed by Speaker

03/07/14 House: Impact statement from DPB (HB206ER)

03/09/14 Senate: Signed by President

04/04/14 Governor: Approved by Governor-Chapter 558 (effective 7/1/15)

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:

03/04/14 House: Signed by Speaker

03/05/14 House: Impact statement from DPB (HB219ER)

03/07/14 Senate: Signed by President

03/27/14 Governor: Approved by Governor-Chapter 313 (effective 7/1/14)

03/27/14 Governor: Acts of Assembly Chapter text (CHAP0313)

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: Referred to Committee on Education

01/10/14 House: Assigned Education sub: Higher Education
01/23/14 House: Impact statement from DPB (HB238)
01/28/14 House: Subcommittee recommends laying on the table
02/12/14 House: Left in 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 facilities, clients, patients, individuals receiving services, and the records of such clients, patients, and individuals in licensed assisted living facilities, licensed adult day care centers, home care organizations, hospice facilities, certified nursing facilities and nursing homes, providers as defined in § 37.2-403, state hospitals operated by the Department of Behavioral Health and Developmental Services, and providers of services by an area agency on aging or any private nonprofit or proprietary agency whenever the entity has the consent of the client, patient, or individual receiving services or his legal representative. The bill provides that if a client, patient, or individual receiving services is unable to consent to the review of his medical and social records and has no legal representative, and access to the records is necessary to investigate a complaint, access shall be granted to the extent necessary to conduct the investigation. The bill provides that access also shall be granted if a legal representative of the client, patient, or individual receiving services refuses to give consent and the entity has reasonable cause to believe that the legal representative is not acting in the best interests of the client, patient, or individual receiving services. This bill is identical to SB 572.

Status:

02/20/14 House: Impact statement from DPB (HB240ER)
02/20/14 House: Signed by Speaker
02/22/14 Senate: Signed by President
03/05/14 Governor: Approved by Governor-Chapter 120 (effective 7/1/14)
03/05/14 Governor: Acts of Assembly Chapter text (CHAP0120)

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:

03/06/14 House: Bill text as passed House and Senate (HB258ER)
03/06/14 House: Signed by Speaker
03/07/14 House: Impact statement from DPB (HB258ER)
03/09/14 Senate: Signed by President

04/04/14 Governor: Approved by Governor-Chapter 559 (effective 7/1/14)

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:

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

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

01/23/14 House: Reconsidered by GL Sub: Subcommittee #4

01/23/14 House: Subcommittee recommends incorporating (HB1053-Miller)

01/28/14 House: Incorporated by General Laws (HB1053-Miller)

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

01/28/14 House: Subcommittee recommends passing by indefinitely

02/12/14 House: Left in Commerce and Labor

HB310 First informer broadcaster; access to station in state emergency area to disseminate news.

Chief Patron: Lingamfelter

Summary:

Provides that state and local governmental agencies shall grant first informer broadcasters access to their broadcasting station or television system within an area declared a state of emergency area by the Governor for the purpose of provision of news, public service and public safety information, and repairing or resupplying their facility or equipment. A first informer is defined as the critical personnel of a radio or television broadcast station engaged in (i) the process of broadcasting; (ii) the maintenance or repair of broadcast station equipment, transmitters, and generators; or (iii) the transportation of fuel for generators of broadcast stations.

Status:

02/26/14 House: Bill text as passed House and Senate (HB310ER)

02/26/14 House: Impact statement from DPB (HB310ER)
02/26/14 House: Signed by Speaker
02/28/14 Senate: Signed by President
04/04/14 Governor: Approved by Governor-Chapter 561 (effective 7/1/14)

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
02/12/14 House: Left in Courts of Justice

HB375 Patent infringement; assertions made in bad faith, exemptions, penalties.

Companion Bill: SB150

Chief Patron: O'Quinn

Summary:

Prohibits any person from making in bad faith an assertion of patent infringement. The Attorney General or an attorney for the Commonwealth is empowered to accept assurances of voluntary compliance and seek injunctive relief. The Attorney General is authorized to issue civil investigative demands. The measure does not create a private cause of action. The measure does not apply to a demand letter or assertion of patent infringement that includes a claim for relief arising under 35 U.S.C. § 271(e)(2) or 42 U.S.C. § 262. This bill is identical to SB 150.

Status:

03/06/14 House: Bill text as passed House and Senate (HB375ER)
03/06/14 House: Signed by Speaker
03/09/14 Senate: Signed by President
03/10/14 House: Impact statement from DPB (HB375ER)
04/04/14 House: Governor's recommendation received by House

HB412 Child care; Department of Social Services to plan for national background checks for providers.

Chief Patron: Anderson

Summary:

Directs the Department of Social Services to convene a work group to review current state and federal laws and regulations governing criminal history background checks for child-care providers and to develop a plan for implementation of national fingerprint-based criminal history background checks for all child-care providers in the Commonwealth, and to report to the Governor and the General Assembly by November 1, 2014. This bill incorporates HB 552 and HB 1252 and is identical to SB 639.

Status:

02/20/14 House: Impact statement from DPB (HB412ER)

02/20/14 House: Signed by Speaker

02/22/14 Senate: Signed by President

03/05/14 Governor: Approved by Governor-Chapter 128 (effective 7/1/14)

03/05/14 Governor: Acts of Assembly Chapter text (CHAP0128)

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:

03/06/14 House: Bill text as passed House and Senate (HB465ER)

03/06/14 House: Signed by Speaker

03/09/14 Senate: Signed by President

03/10/14 House: Impact statement from DPB (HB465ER)

04/04/14 Governor: Approved by Governor-Chapter 567 (effective 7/1/14)

HB467 Higher Education for Virginia, State Council of; 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:

02/26/14 House: Signed by Speaker

02/27/14 House: Impact statement from DPB (HB467ER)

02/28/14 Senate: Signed by President

03/27/14 Governor: Approved by Governor-Chapter 323 (effective 7/1/14)

03/27/14 Governor: Acts of Assembly Chapter text (CHAP0323)

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:

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

01/16/14 House: Assigned Courts sub: Criminal Law

01/24/14 House: Impact statement from DPB (HB486)

01/31/14 House: Subcommittee recommends continuing to 2015

02/03/14 House: Continued to 2015 in Courts of Justice

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: Referred to Committee for Courts of Justice

01/09/14 House: Assigned Courts sub: Civil

01/20/14 House: Subcommittee recommends laying on the table

01/23/14 House: Impact statement from VDH (HB490)

02/12/14 House: Left in Courts of Justice

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)

01/23/14 House: Impact statement from DPB (HB496)

02/12/14 House: Left in Courts of Justice

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

Chief Patron: Lingamfelter

Summary:

Requires (i) students who live outside the Commonwealth, have been employed full time inside Virginia for at least one year, and were granted in-state tuition and (ii) 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 who 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 (a) 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, (b) 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, and (c) 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, 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:

03/06/14 House: Bill text as passed House and Senate (HB501ER)

03/06/14 House: Impact statement from DPB (HB501ER)

03/06/14 House: Signed by Speaker

03/09/14 Senate: Signed by President

04/07/14 Governor: Approved by Governor-Chapter 762 (effective 7/1/14)

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: Referred to Committee on Appropriations

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

01/23/14 House: Impact statement from DPB (HB510)

02/05/14 House: Subcommittee recommends laying on the table

02/12/14 House: Left in Appropriations

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: 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

01/24/14 House: Impact statement from DPB (HB532)

02/12/14 House: Left in General Laws

HB544 Higher educational institutions; 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: Referred to Committee on Education

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

01/23/14 House: Impact statement from DPB (HB544)

01/28/14 House: Subcommittee recommends laying on the table

02/12/14 House: Left in Education

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:

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

01/23/14 House: Reconsidered by GL sub: Subcommittee #4

01/23/14 House: Impact statement from DPB (HB571)

01/23/14 House: Subcommittee recommends laying on the table

02/12/14 House: Left in General Laws

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)

02/12/14 House: Left in Education

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)

01/23/14 House: Impact statement from DPB (HB698)

02/03/14 House: Stricken from docket by Courts of Justice

HB700 Higher educational institutions; maintenance of optional retirement plan.

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:

03/06/14 House: Bill text as passed House and Senate (HB700ER)
03/06/14 House: Signed by Speaker
03/07/14 House: Impact statement from DPB (HB700ER)
03/09/14 Senate: Signed by President
04/07/14 Governor: Approved by Governor-Chapter 764 (effective 7/1/14)

HB703 FOIA; record exemption for certain 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. This bill is identical to SB 78.

Status:

03/06/14 House: Signed by Speaker
03/09/14 Senate: Signed by President
03/11/14 House: Impact statement from DPB (HB703ER)
03/31/14 Governor: Approved by Governor-Chapter 414 (effective 7/1/14)
03/31/14 Governor: Acts of Assembly Chapter text (CHAP0414)

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

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:

02/04/14 House: Referred to Committee on Appropriations
02/05/14 House: Assigned App. sub: Compensation and Retirement
02/06/14 House: Impact statement from DPB (HB711H1)
02/06/14 House: Subcommittee recommends laying on the table
02/12/14 House: Left in Appropriations

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

Chief Patron: Lingamfelter

Summary:

Provides that no employer may discharge, threaten, or otherwise discriminate or retaliate against a whistle blower, in whole or in part, because the whistle blower is requested or subpoenaed by an appropriate authority to participate in an investigation, hearing, or inquiry by an appropriate authority or in a court action. The bill also provides that any whistle blower may bring a civil action for prohibited actions against him in the circuit court of the jurisdiction where the whistle blower is employed. The bill provides that in a proceeding commenced against any employer for unlawful retaliation against a whistle blower, the court, if it finds that a violation was willfully and knowingly made, may impose upon such employer that is a party to the action, whether a writ of mandamus or injunctive relief is awarded or not, a civil penalty of not less than \$500 nor more than \$2,500, which amount shall be paid into the Fraud and Abuse Whistle Blower Reward Fund. The bill also provides that the court may order remedies, including reinstatement to the same position or, if the position is filled, to an equivalent position; back pay; full reinstatement of fringe benefits and seniority rights; or any combination of such remedies. The bill also provides that the whistle blower may be entitled to recover reasonable attorney fees and costs. The bill also imposes a three-year statute of limitations for such actions.

Status:

03/03/14 House: Signed by Speaker

03/05/14 House: Impact statement from DPB (HB728ER)

03/06/14 Senate: Signed by President

03/27/14 Governor: Approved by Governor-Chapter 335 (effective 7/1/14)

03/27/14 Governor: Acts of Assembly Chapter text (CHAP0335)

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: Referred to Committee on Finance

01/22/14 House: Assigned Finance sub: Subcommittee #3

01/23/14 House: Impact statement from TAX (HB729)
01/24/14 House: Subcommittee recommends continuing to 2015
01/27/14 House: Continued to 2015 in Finance

HB731 Virginia Fraud Against Taxpayers Act; liability for employment discrimination.

Chief Patron: Lingamfelter

Summary:

Provides that when an employee is discriminated against in the terms and conditions of employment in whole or in part because of lawful acts done in furtherance of an action under the Virginia Fraud Against Taxpayers Act, or because of other efforts to stop a violation of the Virginia Fraud Against Taxpayers Act, joint and several liability shall extend to the officer or agent of the Commonwealth responsible for the adverse employment action.

Status:

02/19/14 Senate: Failed to report (defeated) in Courts of Justice (6-Y 6-N 2-A)
02/26/14 Senate: Reconsidered by Courts of Justice
02/26/14 Senate: Committee substitute printed 14105226D-S1
02/26/14 Senate: Failed to report (defeated) in Courts of Justice (7-Y 7-N)
02/27/14 House: Impact statement from DPB (HB731S1)

HB739 Virginia Fraud Against Taxpayers & Fraud and Abuse Whistle Blower Protection Acts; remedies, etc.

Companion Bill: SB326

Chief Patron: Lingamfelter

Summary:

Clarifies that deputy sheriffs employed by city or county sheriff's offices are included under the term "employees" under the Virginia Fraud Against Taxpayers Act and the Fraud and Abuse Whistle Blower Protection Act. The bill also 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. 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: Referred to Committee on General Laws
01/10/14 House: Assigned GL sub: Subcommittee #4
01/23/14 House: Impact statement from DPB (HB739)
02/04/14 House: Subcommittee recommends laying on the table
02/12/14 House: Left in General Laws

HB747 Tuition, in-state; student eligibility, Deferred Action for Childhood Arrivals.

Chief Patron: Rust

Summary:

Declares a student 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) he has provided an I-797 Approval Notice stating that he has been approved for Deferred Action for Childhood Arrivals by the U.S. Department of Homeland Security; 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:

01/28/14 House: Subcommittee recommends reporting with amendment(s) (8-Y 0-N)
01/28/14 House: Subcommittee recommends referring to Committee on Appropriations
01/29/14 House: Reported from Education with amendment (19-Y 3-N)
01/29/14 House: Referred to Committee on Appropriations
02/12/14 House: Left in Appropriations

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: Referred to Committee on Education
01/10/14 House: Assigned Education sub: Higher Education
01/21/14 House: Subcommittee recommends laying on the table
01/23/14 House: Impact statement from DPB (HB781)
02/12/14 House: Left in Education

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:

01/28/14 House: Impact statement from DPB (HB788)
01/30/14 House: Subcommittee recommends reporting with amendment(s) (4-Y 3-N)
02/06/14 House: Reconsidered by GL sub: Subcommittee #2
02/06/14 House: Subcommittee recommends continuing to 2015
02/06/14 House: Continued to 2015 in General Laws

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

02/05/14 House: Subcommittee recommends laying on the table

02/12/14 House: Left in Courts of Justice

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 disseminate to each public high school and each institution of higher education in the Commonwealth for which the Council has student-level data a link on its website to certain published postsecondary education and employment data. The bill requires each institution of higher education to provide the link and each local school board to provide annual notice on its website to each enrolled high school student and his parents about the availability of such data.

Status:

03/06/14 House: Signed by Speaker

03/07/14 House: Impact statement from DPB (HB886ER)

03/09/14 Senate: Signed by President

04/01/14 Governor: Approved by Governor-Chapter 472 (effective 7/1/14)

04/01/14 Governor: Acts of Assembly Chapter text (CHAP0472)

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: Referred to Committee for Courts of Justice

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

02/03/14 House: Subcommittee recommends passing by indefinitely

02/12/14 House: Impact statement from DPB (HB892)

02/12/14 House: Left in Courts of Justice

HB946 Workers' compensation; fee schedule for medical care services, prompt payment of bills.

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: Referred to Committee on Commerce and Labor

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

02/04/14 House: Impact statement from DPB (HB946)

02/04/14 House: Subcommittee recommends continuing to 2015

02/06/14 House: Continued to 2015 in Commerce and Labor

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)

01/20/14 House: Continued to 2015 in Finance

HB1010 Emergency medical services providers; certification.

Chief Patron: Byron

Summary:

Provides that regulations of the Board of Health governing qualifications for certification of emergency medical services providers shall require no more than 40 hours of classroom instruction for certification of an emergency medical services provider as an emergency medical responder or emergency medical services first responder and no more than 80 hours of classroom instruction for certification of an emergency medical services provider as an emergency medical technician. This bill is carried over pursuant to Rule 22 of the House.

Status:

01/08/14 House: Referred to Committee on Health, Welfare and Institutions

01/17/14 House: Assigned HWI sub: Subcommittee #3

01/23/14 House: Impact statement from VDH (HB1010)

01/30/14 House: Subcommittee recommends reporting with amendment(s) (5-Y 0-N)

02/04/14 House: Continued to 2015 in Health, Welfare and Institutions

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

Chief Patron: Miller

Summary:

Provides that the performance review of a state agency, nonstate agency, or independent contractor 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. The bill provides that the State Inspector General may provide assistance for investigations as may be requested by the public institution 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. HB 287 is incorporated into this bill.

Status:

03/07/14 House: Bill text as passed House and Senate (HB1053ER)

03/07/14 House: Signed by Speaker

03/10/14 Senate: Signed by President

03/10/14 House: Impact statement from DPB (HB1053ER)

04/07/14 House: Governor's recommendation received by House

HB1083 Workers' compensation; cost and payment for medical services, claims filed with Commission, etc.

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 reimbursement

due to the physician performing the surgery and the liability for treatment provided by an assistant surgeon in the same specialty as the primary surgeon to no more than 50 percent of the reimbursement due to the physician performing the surgery. The measure requires multiple procedures completed on a single surgical site associated with medical, surgical, and hospital services rendered on or after July 1, 2014, to be coded and billed with appropriate Current Procedural Terminology modifiers and paid according to the National Correct Coding Initiative rules and hospital in-patient care to be coded and billed through the International Statistical Classification of Diseases and Related Health Problems. 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; (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 the last payment is received by the provider or the date the medical award for a specific item or treatment that is denied or contested by the employer becomes final; (iv) provides that health care providers located outside of the Commonwealth shall be reimbursed according to these prompt payment and claims limitations and the "same community" shall be deemed the principal place of business of the employer if located in the Commonwealth or, if no such location exists, the location where the Commission hearing regarding the dispute is conducted; and (v) clarifies the application of the balance billing prohibition.

Status:

03/07/14 House: Bill text as passed House and Senate (HB1083ER)

03/07/14 House: Impact statement from DPB (HB1083ER)

03/07/14 House: Signed by Speaker

03/10/14 Senate: Signed by President

04/06/14 Governor: Approved by Governor-Chapter 670 (effective 7/1/14)

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: Referred to Committee on Education

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

01/30/14 House: Impact statement from DPB (HB1123)

02/04/14 House: Subcommittee recommends laying on the table

02/12/14 House: Left in 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:

01/22/14 House: Referred to Committee for Courts of Justice

01/23/14 House: Assigned Courts sub: Ethics

01/23/14 House: Impact statement from DPB (HB1143)

02/03/14 House: Subcommittee recommends laying on the table

02/12/14 House: Left in Courts of Justice

HB1168 Wetland and stream mitigation banks; state lands that are used to provide compensatory mitigation.

Chief Patron: Fariss

Summary:

Provides that state lands that are used to provide compensatory mitigation for wetland or stream impacts shall be used only for projects undertaken by a state agency, or a foundation related to a state institution of higher education, on land which the agency or foundation owns.

Status:

02/27/14 House: Impact statement from DPB (HB1168H2)

02/27/14 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (15-Y 0-N)

02/27/14 Senate: Committee substitute printed 14105079D-S1

02/27/14 Senate: Rereferred to Finance

03/04/14 Senate: Left in Finance

HB1211 Conflicts of Interests Acts, State and Local Government & General Assembly; establishes Council.

Companion Bill: SB639

Chief Patron: Gilbert

Summary:

Establishes the Virginia Conflict of Interest and Ethics Advisory Council composed of 15 members: four appointments each by the Speaker of the House of Delegates, Senate Committee on Rules, and Governor; one designee of the Attorney General; one representative of the Virginia Association of Counties; and one representative of the Virginia Municipal League. The Council will elect its chairman and vice-chairman. The Council will review and post online the disclosure forms filed by lobbyists and persons subject to the conflict of interests acts and provide formal opinions and informal advice, education, and training. The bill requires the filing of the disclosure forms twice

a year. It provides that the Division of Legislative Services will staff the Council, and the Council will transmit complaints of conflict law violations to the ethics advisory panels of the House of Delegates and Senate. The bill prohibits tangible gifts with a value of more than \$250 or a combination of tangible gifts with a value of more than \$250 to certain officers and employees of state or local governmental or advisory agencies or to legislators from a lobbyist; a lobbyist's principal; or a person, business, or organization who is a party to or seeking to become a party to certain governmental contracts. The bill also clarifies the distinction between gifts and other things of value received for travel, reduces a number of disclosure provision thresholds from \$10,000 to \$5,000, and requires the disclosure of gifts to immediate family members. Gifts from a relative or personal friend are not subject to disclosure, but a lobbyist; a lobbyist's principal; or a person, business, or organization who is a party to or seeking to become a party to certain governmental contracts cannot be considered a personal friend. Finally, the bill provides that the provisions of the conflict of interests acts do not preclude prosecution for any criminal law violation, including bribery. This bill incorporates HB 15 and HB 271 and is identical to SB 649.

Status:

03/17/14 House: Bill text as passed House and Senate (HB1211ER)

03/17/14 Senate: Signed by President

03/18/14 House: Signed by Speaker

03/19/14 House: Impact statement from DPB (HB1211ER)

04/07/14 House: Governor's recommendation received by House

HB1252 Child welfare agencies; criminal history background checks requirement established.

Chief Patron: Peace

Summary:

This bill was incorporated into HB 412.

Status:

01/17/14 House: Presented and ordered printed 14104145D

01/17/14 House: Referred to Committee on Health, Welfare and Institutions

01/22/14 House: Assigned HWI sub: Subcommittee #2

01/23/14 House: Subcommittee recommends incorporating (HB412-Anderson)

01/28/14 House: Tabled in Health, Welfare and Institutions

HB1259 Embryo adoptions; recognition, issuance of birth certificate.

Chief Patron: Marshall, R.G.

Summary:

Provides that a legal embryo custodian may relinquish all legal rights to and legal responsibilities for an embryo through a written contract to an intended recipient parent prior to an embryo transfer, thus making a child born to such intended recipient parent the legal adoptive child of the intended recipient parent. In addition to the written contract between parties, the bill provides for an expedited adoption process for an intended recipient parent prior to the birth of a child or following the birth of a child and provides that an adoptive parent as a result of an embryo transfer may be issued a certificate of live birth or of fetal demise, as appropriate, when the child is born. The bill provides definitions of terms.

Status:

01/17/14 House: Presented and ordered printed 14104167D

01/17/14 House: Referred to Committee for Courts of Justice
02/04/14 House: Assigned Courts sub: Constitutional Law
02/05/14 House: Subcommittee recommends continuing to 2015
02/07/14 House: Continued to 2015 in Courts of Justice

HB1268 Student mental health policies and procedures; violence prevention committees.

Chief Patron: Hugo

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 threatening or aberrant behavior that may represent a physical threat to the community. 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 physical threat, unless such notification would prove harmful to the individual in question.

Status:

03/03/14 House: Signed by Speaker
03/04/14 House: Impact statement from DPB (HB1268ER)
03/06/14 Senate: Signed by President
04/07/14 House: Governor's recommendation received by House
04/07/14 House: Governor's substitute printed 14105796D-H2

HB1272 Higher educational institutions; Governor may remove any board member with or without cause.

Chief Patron: Howell, A.T.

Summary:

Provides that the Governor may remove any member of the board of any public institution of higher education or other educational institution in Virginia with or without cause. Under current law, the Governor may remove a board member for malfeasance, misfeasance, incompetence, or gross neglect of duty.

Status:

02/07/14 House: Passed by for the day
02/10/14 House: Read second time
02/10/14 House: Passed by until Wednesday, February 12, 2014
03/08/14 House: No further action taken
03/08/14 House: Failed to pass in House

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. This bill was continued to the 2015 Session of the General Assembly.

Status:

02/05/14 House: Agreed to by House BLOCK VOTE (92-Y 0-N)

02/05/14 House: VOTE: BLOCK VOTE ADOPTION (92-Y 0-N)

02/06/14 Senate: Reading waived

02/06/14 Senate: Referred to Committee on Rules

02/21/14 Senate: Continued to 2015 in Rules

HJ72 Pay It Forward, Pay It Back; SCHEV to study feasibility of implementing.

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. This resolution was continued to the 2015 Session of the General Assembly.

Status:

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

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

01/28/14 House: Assigned Rules sub: Studies

01/30/14 House: Subcommittee recommends continuing to 2015

02/12/14 House: Left in Rules

HJ313 Celebrating the life of Joshua P. Darden, Jr.

Companion Bill: SJ127

Chief Patron: Loupassi

Summary:

Celebrating the life of Joshua P. Darden, Jr.

Status:

02/21/14 House: Engrossed by House

02/21/14 House: Agreed to by House

02/24/14 Senate: Received

02/24/14 Senate: Laid on Clerk's Desk

02/27/14 Senate: Agreed to by Senate

SB55 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:

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)
01/30/14 Senate: Passed by indefinitely in Education and Health (12-Y 0-N)

SB78 FOIA; record exemption for certain 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. This bill is identical to HB 703.

Status:

03/05/14 Senate: Bill text as passed Senate and House (SB78ER)
03/05/14 Senate: Impact statement from DPB (SB78ER)
03/05/14 House: Signed by Speaker
03/08/14 Senate: Signed by President
04/04/14 Governor: Approved by Governor-Chapter 609 (effective 7/1/14)

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 service, or any portion thereof, that an employee must have performed before being entitled to receive all optional retirement plan contributions made on his behalf by the institution 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, who are not in continuous service at the time of hiring.

Status:

03/03/14 Senate: Bill text as passed Senate and House (SB79ER)
03/03/14 House: Signed by Speaker
03/06/14 Senate: Signed by President
03/07/14 Senate: Impact statement from DPB (SB79ER)
04/07/14 Governor: Approved by Governor-Chapter 745 (effective 7/1/14)

SB150 Patent infringement; assertions made in bad faith, exemptions, penalties.

Companion Bill: HB375

Chief Patron: Stuart

Summary:

Prohibits any person from making in bad faith an assertion of patent infringement. The Attorney General or an attorney for the Commonwealth is empowered to accept assurances of voluntary compliance and seek injunctive relief. The Attorney General is authorized to issue civil investigative demands. The measure does not create a private cause of action. The measure does not apply to a demand letter or assertion of patent infringement that includes a claim for relief arising under 35 U.S.C. § 271(e)(2) or 42 U.S.C. § 262. This bill is identical to HB 375.

Status:

03/06/14 Senate: Bill text as passed Senate and House (SB150ER)

03/06/14 House: Signed by Speaker

03/09/14 Senate: Signed by President

03/10/14 Senate: Impact statement from DPB (SB150ER)

04/07/14 Senate: Governor's recommendation received by Senate

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 encourage all faculty and staff to report behavior that may represent a threat to the community 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:

02/27/14 Senate: Bill text as passed Senate and House (SB239ER)

02/27/14 Senate: Impact statement from DPB (SB239ER)

02/27/14 House: Signed by Speaker

03/01/14 Senate: Signed by President

04/07/14 Senate: Governor's recommendation received by Senate

SB242 Higher education; students' personal information.

Chief Patron: McWaters

Summary:

Prohibits public institutions of higher education from selling students' personal information, including names, addresses, phone numbers, and email addresses, to any person. The bill does not apply to certain transactions initiated by the student.

Status:

03/07/14 Senate: Bill text as passed Senate and House (SB242ER)

03/07/14 House: Signed by Speaker

03/10/14 Senate: Impact statement from DPB (SB242ER)

03/10/14 Senate: Signed by President

04/07/14 Governor: Approved by Governor-Chapter 748 (effective 7/1/14)

SB249 Tuition, in-state; Deferred Action for Childhood Arrivals.

Chief Patron: McEachin

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) he has provided an I-797 Approval Notice stating that he has been approved for Deferred Action for Childhood Arrivals by the U.S. Department of Homeland Security; 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:

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

01/10/14 Senate: Introduced bill reprinted 14101938D

01/23/14 Senate: Committee substitute printed to Web only 14104382D-S1

01/23/14 Senate: Failed to report (defeated) in Education and Health (6-Y 7-N)

01/23/14 Senate: Impact statement from DPB (SB249)

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. The prohibition does not apply to applications for employment with law-enforcement agencies, fire departments, and emergency medical services agencies. Localities are authorized to prohibit such inquiries.

Status:

02/18/14 House: Referred from General Laws

02/18/14 House: Referred to Committee for Courts of Justice

02/20/14 House: Assigned Courts sub: Criminal Law

02/26/14 House: Subcommittee recommends laying on the table

03/04/14 House: Left in Courts of Justice

SB326 Virginia Fraud Against Taxpayers & Fraud and Abuse Whistle Blower Protection Acts; remedies, etc.

Companion Bill: HB739

Chief Patron: Deeds

Summary:

Clarifies that deputy sheriffs employed by city or county sheriff's offices are included under the term "employees" under the Virginia Fraud Against Taxpayers Act and the Fraud and Abuse Whistle Blower Protection Act. The bill also 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. 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:

01/22/14 Senate: Reading of amendments waived

01/22/14 Senate: Committee amendments agreed to

01/22/14 Senate: Engrossed by Senate as amended SB326E

01/22/14 Senate: Printed as engrossed 14103428D-E

01/23/14 Senate: Read third time and defeated by Senate (14-Y 24-N)

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

01/23/14 Senate: Incorporated by Education and Health (SB249-McEachin) (13-Y 0-N)

01/23/14 Senate: Impact statement from DPB (SB327)

SB328 Surgical technologists and surgical assistants; use of title, registration.

Chief Patron: Barker

Summary:

Prohibits any person from using or assuming the title "registered surgical technologist" unless such person is registered with the Board of Medicine and prohibits any person from using or assuming the title "registered surgical assistant" unless such person is registered with the Board. The bill requires the Board to register applicants as registered surgical technologists or registered surgical assistants if they meet certain criteria.

Status:

03/06/14 Senate: Bill text as passed Senate and House (SB328ER)

03/06/14 House: Signed by Speaker

03/07/14 Senate: Impact statement from DPB (SB328ER)

03/09/14 Senate: Signed by President

04/03/14 Governor: Approved by Governor-Chapter 531 (effective 7/1/14)

SB353 Criminal history record checks; sets out list of barrier crimes.

Chief Patron: Edwards

Summary:

Sets out the list of barrier crimes for (i) individuals seeking employment 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; (ii) applicants for licensure, registration, or approval as assisted living facilities, child welfare agencies, or family day homes approved by family day systems; (iii) 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; (iv) foster and adoptive homes seeking approval from child-placing agencies; and (v) 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." The bill also makes technical changes and updates obsolete language.

Status:

02/07/14 House: Read first time

02/07/14 House: Referred to Committee for Courts of Justice

02/14/14 House: Assigned Courts sub: Criminal Law

02/24/14 House: Subcommittee recommends laying on the table

03/04/14 House: Left in Courts of Justice

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 two-year institution of higher education and either (i) for a student who transfers to a public four-year 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 four-year 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 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. The bill also requires the State Council of Higher Education for Virginia to develop statistics on students receiving the transfer grants and examine whether there is a correlation between receiving the grant and graduation rates. The provisions of the bill are contingent on funding in a 2014 general appropriation act.

Status:

02/12/14 House: Referred to Committee on Appropriations
02/14/14 Senate: Impact statement from DPB (SB429ES1)
02/19/14 House: Assigned App. sub: Higher Education
03/03/14 House: Subcommittee recommends laying on the table
03/04/14 House: Left in Appropriations

SB536 DHP; use of implantable medical devices distributed by physician-owned distributorships.

Chief Patron: Martin

Summary:

Directs the Department of Health Professions to consider any issues related to the use of implantable medical devices distributed by medical device distributors in which a physician has an ownership interest and to report to the Governor and the General Assembly by November 1, 2014. This bill is identical to HB 1235.

Status:

02/25/14 Senate: Impact statement from DPB (SB536ER)
02/25/14 House: Signed by Speaker
02/27/14 Senate: Signed by President
03/17/14 Governor: Approved by Governor-Chapter 262 (effective 7/1/14)
03/17/14 Governor: Acts of Assembly Chapter text (CHAP0262)

SB570 Assault and battery; full-time or part-time employee, penalty.

Companion Bill: HB698

Chief Patron: Stuart

Summary:

Provides that a battery against any full-time or part-time employee of a public or private elementary school who is engaged in the performance of his duties is punishable as a Class 1 misdemeanor and the punishment shall include a sentence of 15 days in jail, two days of which shall be a mandatory minimum sentence. Currently, only a battery against a teacher, principal, assistant principal, or guidance counselor is subject to this enhanced penalty for battery. This bill is identical to HB 851.

Status:

03/06/14 Senate: Bill text as passed Senate and House (SB570ER)
03/06/14 House: Signed by Speaker
03/09/14 Senate: Signed by President

03/11/14 Senate: Impact statement from DPB (SB570ER)

04/06/14 Governor: Approved by Governor-Chapter 714 (effective 7/1/14)

SB572 Long-Term Care Ombudsman, Office of State; access to clients, patients, individuals, etc., records.

Chief Patron: Barker

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 facilities, clients, patients, individuals receiving services, and the records of such clients, patients, and individuals in licensed assisted living facilities, licensed adult day care centers, home care organizations, hospice facilities, certified nursing facilities and nursing homes, providers as defined in § 37.2-403, state hospitals operated by the Department of Behavioral Health and Developmental Services, and providers of services by an area agency on aging or any private nonprofit or proprietary agency whenever the entity has the consent of the client, patient, or individual receiving services or his legal representative. The bill provides that if a client, patient, or individual receiving services is unable to consent to the review of his medical and social records and has no legal representative, and access to the records is necessary to investigate a complaint, access shall be granted to the extent necessary to conduct the investigation. The bill provides that access also shall be granted if a legal representative of the client, patient, or individual receiving services refuses to give consent and the entity has reasonable cause to believe that the legal representative is not acting in the best interests of the client, patient, or individual receiving services. This bill is identical to HB 240.

Status:

02/19/14 House: Signed by Speaker

02/20/14 Senate: Impact statement from DPB (SB572ER)

02/21/14 Senate: Signed by President

03/03/14 Governor: Approved by Governor-Chapter 98 (effective 7/1/14)

03/03/14 Governor: Acts of Assembly Chapter text (CHAP0098)

SB633 Higher educational institutions; 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:

02/26/14 House: Reported from Education (12-Y 10-N)

02/26/14 House: Referred to Committee on Appropriations

02/28/14 House: Assigned App. sub: Higher Education

03/03/14 House: Subcommittee recommends laying on the table

03/04/14 House: Left in Appropriations

SB638 Prescription Monitoring Program; reporting requirements.

Chief Patron: Smith

Summary:

Requires dispensers to comply with the reporting requirements of the Prescription Monitoring Program within three days of dispensing a covered substance.

Status:

01/17/14 Senate: Presented and ordered printed 14102546D

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

01/24/14 Senate: Impact statement from DPB (SB638)

01/28/14 Senate: Assigned Education sub: Health Professions

02/06/14 Senate: Passed by indefinitely in Education and Health with letter (14-Y 0-N)

SB649 Conflicts of Interests Acts, State and Local Government & General Assembly; establishes Council.

Chief Patron: Norment

Summary:

Establishes the Virginia Conflict of Interest and Ethics Advisory Council composed of 15 members: four appointments each by the Speaker of the House of Delegates, Senate Committee on Rules, and Governor; one designee of the Attorney General; one representative of the Virginia Association of Counties; and one representative of the Virginia Municipal League. The Council will elect its chairman and vice-chairman. The Council will review and post online the disclosure forms filed by lobbyists and persons subject to the conflict of interests acts and provide formal opinions and informal advice, education, and training. The bill requires the filing of the disclosure forms twice a year. It provides that the Division of Legislative Services will staff the Council, and the Council will transmit complaints of conflict law violations to the ethics advisory panels of the House of Delegates and Senate. The bill prohibits tangible gifts with a value of more than \$250 or a combination of tangible gifts with a value of more than \$250 to certain officers and employees of state or local governmental or advisory agencies or to legislators from a lobbyist; a lobbyist's principal; or a person, business, or organization who is a party to or seeking to become a party to certain governmental contracts. The bill also clarifies the distinction between gifts and other things of value received for travel, reduces a number of disclosure provision thresholds from \$10,000 to \$5,000, and requires the disclosure of gifts to immediate family members. Gifts from a relative or personal friend are not subject to disclosure, but a lobbyist; a lobbyist's principal; or a person, business, or organization who is a party to or seeking to become a party to certain governmental contracts cannot be considered a personal friend. Finally, the bill provides that the provisions of the conflict of interests acts do not preclude prosecution for any criminal law violation, including bribery. This bill incorporates SB 20, SB 21, SB 23, SB 143, SB 149, SB 218, SB 219, SB 265, SB 274, SB 410, and SB 652 and is identical to HB 1211.

Status:

03/17/14 Senate: Bill text as passed Senate and House (SB649ER)

03/17/14 Senate: Signed by President

03/18/14 House: Signed by Speaker

03/19/14 Senate: Impact statement from DPB (SB649ER)

04/07/14 Senate: Governor's recommendation received by Senate

SB669 Higher educational institutions; educational programs for governing boards.

Chief Patron: Martin

Summary:

Requires the State Council of Higher Education for Virginia's educational program for members of governing boards of public institutions of higher education in the Commonwealth to include a presentation related to the board members' duty to the Commonwealth.

Status:

03/06/14 Senate: Bill text as passed Senate and House (SB669ER)

03/06/14 House: Signed by Speaker

03/07/14 Senate: Impact statement from DPB (SB669ER)

03/09/14 Senate: Signed by President

04/04/14 Governor: Approved by Governor-Chapter 644 (effective 7/1/14)

SJ25 Pay It Forward, Pay It Back; SCHEV to study feasibility of implementing.

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. This resolution was continued to the 2015 Session of the General Assembly.

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

01/29/14 Senate: Continued to 2015 in Finance (17-Y 0-N)

SJ36 Law-enforcement agencies, state; JLARC to study consolidation of all under 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. This resolution was continued to the 2015 Session of the General Assembly.

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 Mental health; joint subcommittee to study services in the Commonwealth in twenty-first century.

Chief Patron: Deeds

Summary:

Establishes a joint subcommittee to study mental health services in the Commonwealth in the 21st century. The joint subcommittee shall consist of 12 legislative members. Members shall be appointed as follows: five members of the Senate, of whom two shall be members of the Senate Committee on Education and Health, two shall be members of the Senate Committee on Finance, and one shall be a member at-large, to be appointed by the Senate Committee on Rules; and seven members of the House of Delegates, of whom two shall be members of the House Committee on Health, Welfare and Institutions, two shall be members of the House Committee on Appropriations, and three shall be members at-large, to be appointed by the Speaker of the House of Delegates. The joint subcommittee may appoint work groups to assist it with its work. In conducting its study, the joint subcommittee shall (i) review and coordinate with the work of the Governor's Task Force on Improving Mental Health Services and Crisis Response; (ii) review the laws of the Commonwealth governing the provision of mental health services, including involuntary commitment of persons in need of mental health care; (iii) assess the systems of publicly funded mental health services, including emergency, forensic, and long-term mental health care and the services provided by local and regional jails and juvenile detention facilities; (iv) identify gaps in services and the types of facilities and services that will be needed to serve the needs of the Commonwealth in the 21st century; (v) examine and incorporate the objectives of House Joint Resolution 240 (1996) and House Joint Resolution 225 (1998) into its study; (vi) review and consider the report *The Behavioral Health Services Study Commission: A Study of Virginia's Publicly Funded Behavioral Health Services in the 21st Century*; and (vii) recommend statutory or regulatory changes needed to improve access to services, the quality of services, and outcomes for individuals in need of services. In reviewing the need for facility beds at the community level, the joint subcommittee shall give consideration to whether the current fiscal incentives for expanding regional jail capacity should be eliminated and replaced with a new incentive for construction, renovation, or enlargement of community mental health facilities or programs, which may or may not be co-located with selected jails on a regional basis. The joint subcommittee shall consider the appropriate location of such facilities; cooperative arrangements with community services boards, behavioral health authorities, and public and private hospitals; licensing, staffing, and funding requirements; and the statutory and administrative arrangements for the governance of such facilities. The joint subcommittee shall give consideration to the development of such facilities or programs on a pilot basis. The joint subcommittee must submit its report to the Governor and the 2018 Regular Session of the General Assembly. This bill incorporates SJR 16 and SB 301.

Status:

03/08/14 House: VOTE: ADOPTION (99-Y 1-N)

03/08/14 Senate: Rules suspended (40-Y 0-N)

03/08/14 Senate: Conference report agreed to by Senate

03/08/14 Senate: Bill text as passed Senate and House (SJ47ER)

01/14/14 Senate: Continued to 2015 in Privileges and Elections (14-Y 0-N)

SJ68 Governor; confirming appointments.

Chief Patron: Obenshain

Summary:

Confirms appointments to various positions made by Governor McDonnell and communicated to the General Assembly August 1, 2013.

Status:

02/04/14 House: Taken up

02/04/14 House: Agreed to by House (98-Y 0-N)

02/04/14 House: VOTE: ADOPTION (98-Y 0-N)

02/04/14 Senate: Bill text as passed Senate and House (SJ68ER)

01/29/14 Senate: Continued to 2015 in Finance (17-Y 0-N)

SJ127 Celebrating the life of Joshua P. Darden, Jr.

Companion Bill: HJ313

Chief Patron: Alexander

Summary:

Celebrating the life of Joshua P. Darden, Jr.

Status:

02/14/14 House: Received

02/14/14 House: Laid on Speaker's table

02/21/14 House: Agreed to by House

02/21/14 Senate: Bill text as passed Senate and House (SJ127ER)

03/03/14 House: Passed by indefinitely in Rules

SJ173 Commending the Foundation of the State Arboretum of Virginia.

Chief Patron: Vogel

Summary:

Commending the Foundation of the State Arboretum of Virginia.

Status:

03/05/14 House: Received

03/05/14 House: Laid on Speaker's table

03/06/14 House: Agreed to by House by voice vote

03/06/14 Senate: Bill text as passed Senate and House (SJ173ER)

01/17/14 Senate: Incorporated by Rules (SJ47-Deeds)