

**University of Virginia -- Office of State Governmental Relations
LAW REPORT**

June 30, 2014

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HB17 Electronic communication or remote computing devices; warrant requirement for certain records.

Chief Patron: Marshall, R.G.

Summary:

Provides that a provider of electronic communication service or remote computing service shall not disclose real-time location data to an investigative or law-enforcement officer except pursuant to a search warrant, subject to certain exceptions. The bill defines "real-time location data" as data or information concerning the current location of an electronic device that is generated, derived from, or obtained by the operation of the device. This bill incorporates HB 817.

Law Advice: FYI - No Direct Impact

HB22 Unemployment compensation; calculating an employer's benefit ratio.

Chief Patron: Kory

Summary:

Provides that an employer's payroll, for purposes of calculating its benefit ratio and state unemployment tax rate, shall be deemed to be \$1 when the employer's taxable payroll for the applicable 12-month period is not more than \$1. The measure eliminates the necessity of dividing the employer's benefit charges by a payroll amount of \$0, which produces an infinite benefit ratio and results in an assessment of state unemployment taxes at the highest rate.

Law Advice: FYI - No Direct Impact

HB33 Pediatric oral health; essential health benefits.

Companion Bill: SB484

Chief Patron: Habeeb

Summary:

Declares that a health carrier that makes available in the small group market or individual market outside an exchange a health benefit plan issued for policy or plan years beginning on or after January 1, 2015, that does not include the required minimum essential pediatric oral health benefits shall be deemed to satisfy the requirement that the plan provide such coverage if the health carrier has obtained reasonable assurance that such pediatric oral health benefits are provided to the purchaser of the plan. The health carrier shall be deemed to have obtained such reasonable assurance that such benefits are provided to the purchaser if (i) at least one qualified dental plan offers the required benefits and is available for purchase by the small group or individual purchaser; and (ii) the health carrier prominently discloses that the plan does not provide the required benefits. This bill is identical to SB 484.

Law Advice: FYI - No Direct Impact

HB108 Health insurance; carrier contracts with pharmacy providers, definition of overpayment.

Chief Patron: Ware

Summary:

Requires any contract between a carrier and its intermediary, pursuant to which the intermediary has the right or obligation to conduct audits of participating pharmacy providers, and any provider contract between a carrier and a participating pharmacy provider or its contracting agent, pursuant to which the carrier has the right or obligation to

conduct audits of participating pharmacy providers, that is entered into, amended, extended, or renewed on or after January 1, 2015, to contain provisions that prohibit the carrier or intermediary, in the absence of fraud, from recouping amounts calculated from or arising out of specified acts, claims, or methods. Recoupment is not allowed with regard to any claim authorized and dispensed more than 24 months prior to the date of the audit unless the claim is adjusted at the direction of the State Corporation Commission, except that this time period shall be tolled while the denial of the claim is being appealed. Such contracts are also required to contain provisions prohibiting the carrier or intermediary, in the absence of fraud by the provider, from terminating or failing to renew the contractual relationship with a participating pharmacy provider for invoking its rights under these required contractual provisions.

Law Advice: New Requirement

Applies to contracts entered into, amended, extended, or renewed on or after January 1, 2015.

HB109 Insurance holding companies; revises requirements applicable to companies.

Chief Patron: Ware

Summary:

Revises the requirements applicable to insurance holding companies to conform to the National Association of Insurance Commissioners' Insurance Holding Company System Regulatory Act and Insurance Holding Company System Model Regulation. The measure expands insurance regulators' examination authority to ascertain the financial condition of the insurer. The bill (i) requires the ultimate controlling person of an insurance holding company system to submit a confidential Enterprise Risk filing; (ii) requires the parent company seeking to divest its interest in an insurance company subsidiary to provide notice to the domestic regulator prior to the divestiture; (iii) requires the insurer's board of directors to make statements regarding the corporate governance and internal control responsibilities within the registration statement; (iv) subjects the cost-sharing services and management agreements among affiliated entities to minimum reporting requirements; and (v) adds confidentiality protections for information shared. The State Corporation Commission will be authorized to participate in supervisory colleges, which will be used by regulators to coordinate supervision of an insurance holding company system that has national and international operations. The measure also makes dental and optometric services plans subject to the insurance holding company provisions, and dental plan organizations subject to requirements regarding risk-based capital. The holding companies requirements in effect on June 30, 2014, will continue to apply to any insurance holding company transaction commenced prior to January 1, 2015, unless otherwise provided.

Law Advice: FYI - No Direct Impact

HB130 Health care providers; civil immunity for members of or consultants to boards or committees.

Companion Bill: SB253

Chief Patron: Minchew

Summary:

Extends civil liability protection to members of, or consultants to, boards or committees established (i) under the requirements of a national accrediting organization granted authority by the Centers for Medicare and Medicaid Services or (ii) pursuant to guidelines approved or adopted by statewide or local associations representing licensed health care providers for acts or omissions done in the performance of their duties as members of, or consultants to, such boards or committees. Under current law, the board or committee may only be established pursuant to federal or state law or to Joint Commission on Accreditation Healthcare Organization requirements. This bill is identical to SB 253.

Law Advice: Change in Requirement

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.

Law Advice: New Requirement

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.

Law Advice: Change in Requirement

HB167 Virginia Business One Stop electronic portal program; participation by State Corporation Commission.

Chief Patron: Ramadan

Summary:

Requires the State Corporation Commission (SCC) and the Department of Small Business and Supplier Diversity (DSBSD), by December 1, 2014, to implement a hyperlink from the SCC's eFile system to the Business Permitting Center that will facilitate the collection of a user's information to populate any forms that will be required to be completed at a future date. The measure also requires that the SCC and the DSBSD meet as necessary to further such collaboration. The Secretary of Commerce and Trade is directed to oversee the DSBSD's implementation of the provisions. The Secretary of Commerce and Trade and the Secretary of Technology shall have the opportunity to participate in such meetings.

Law Advice: FYI - No Direct Impact

HB180 Invention development services; required disclosure, civil penalty.

Chief Patron: Farrell

Summary:

Requires each contract for invention development services to include on its cover sheet a disclosure that the contract is a fee-for-service contract with no guarantees as to success of the invention and information on how to file a consumer complaint regarding invention development services with the Office of the Attorney General. The measure increases

the maximum civil penalty that the Attorney General may recover in an enforcement action from \$3,000 to \$10,000 for each violation. As introduced, this bill was a recommendation of the Joint Commission on Technology and Science.

Law Advice: FYI - No Direct Impact

HB186 Seized drugs and paraphernalia; forfeiture to law enforcement.

Companion Bill: SB349

Chief Patron: Knight

Summary:

Provides that seized drugs and drug paraphernalia, the lawful possession of which is not established or the title to which cannot be ascertained, may be forfeited to a law-enforcement agency for training purposes pursuant to a court order. Current law limits such forfeiture to the Department of Forensic Science for research and training purposes. Limitations are placed on the amount of drugs that a law-enforcement agency may retain and monthly inventories must be submitted to the chief law-enforcement officer in writing. Drugs must be destroyed within 12 months of being obtained and time, place, and manner of destruction must be certified to the court. This bill incorporates HB 481 and is identical to SB 349.

Law Advice: FYI - No Direct Impact

HB190 Athletic trainers; possession and administration of oxygen.

Chief Patron: Bell, Richard P.

Summary:

Provides that prescribers may authorize licensed athletic trainers to possess and administer oxygen for use in emergency situations.

Law Advice: New Authority

HB191 Physician assistant; expert witness testimony.

Companion Bill: SB185

Chief Patron: Minchew

Summary:

Allows a properly qualified physician assistant to testify as an expert witness in a court of law on certain matters within the scope of his activities as authorized under Virginia law, except in any medical malpractice action for or against (i) a defendant doctor of medicine or osteopathic medicine regarding standard of care or (ii) a defendant health care provider regarding causation. The bill also adds "treatment" and "treatment plan" to those matters about which a chiropractor may testify as an expert witness. This bill is identical to SB 185.

Law Advice: FYI - No Direct Impact

HB193 FOIA; participation in meetings by electronic communication in event of emergency, etc.

Companion Bill: SB161

Chief Patron: Minchew

Summary:

Removes the requirement that a public body approve by a majority vote of the members present at a meeting the remote participation in the meeting by one of its members. The bill instead requires the public body to have adopted a written policy allowing for and governing participation, including an approval process for such participation of its members by electronic communication means. Once adopted, the public body shall apply this policy strictly and uniformly, without exception, to its entire membership, and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting. This bill is identical to SB 161.

Law Advice: Change in Requirement

HB203 Virginia College Savings Plan; Plan established as a body politic and corporate.

Companion Bill: SB215

Chief Patron: O'Bannon

Summary:

Declares the Virginia College Savings Plan to be a body politic and corporate. The bill contains an emergency clause. This bill is identical to SB 215.

Law Advice: FYI - No Direct Impact

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.

Law Advice: New Requirement

Policies shall be developed by July 1, 2015.

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.

Law Advice: New Requirement

Effective July 1, 2015. Sponsored by UVa student group Legislators of Tomorrow.

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.

Law Advice: Change in Requirement

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

Companion Bill: SB572

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.

Law Advice: New Requirement

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.

Law Advice: New Requirement

HB273 Virginia Residential Landlord and Tenant Act; changes applicability, security deposits.

Chief Patron: Loupassi

Summary:

Changes the applicability of the Virginia Residential Landlord Tenant Act from the ownership of no more than 10

single-family residences to ownership of no more than two single-family residences and makes the application uniform across the state. The bill also authorizes a landlord to expedite the disposition of security deposits under certain circumstances and sets the interest rate (0.00%) on security deposits for 2014. The bill repeals the requirement for a landlord to accrue interest on security deposits, effective January 1, 2015.

Law Advice: FYI - No Direct Impact

Delayed effective date: January 1, 2015.

HB293 Temporary detention; determining facility for individual.

Chief Patron: Bell, Robert B.

Summary:

Provides that an individual for whom a temporary detention order is issued shall be detained in a state facility unless the state facility or an employee or designee of the community services board is able to identify an alternative facility that is able and willing to provide temporary detention. The bill also provides that under no circumstances shall a state facility fail or refuse to admit an individual who meets the criteria for temporary detention unless an alternative facility has agreed to accept the individual. The Department of Behavioral Health and Developmental Services shall submit an annual report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on the implementation of the provisions of the bill. This bill incorporates HB 243.

Law Advice: New Requirement

HB305 Immunizations; Department of Health to seek reimbursement for cost in certain cases.

Chief Patron: O'Bannon

Summary:

Requires the Department of Health to provide certain vaccines for children free of charge to the parent of the child if the child is eligible for the Vaccines for Children Program or the child is eligible for Medicare, Medicaid, CHIP, or CHAMPUS. In cases in which a child is covered by a health carrier, Medicare, Medicaid, CHIP, or CHAMPUS, the Department shall seek reimbursement for all allowable costs associated with the provision of the vaccine.

Law Advice: FYI - No Direct Impact

HB308 Health insurance; prescription drug formularies, notices.

Companion Bill: SB201

Chief Patron: Dance

Summary:

Requires any health insurer, corporation providing individual or group accident and sickness subscription contracts, or health maintenance organization that applies a formulary to prescription drug benefits provided under its policy, contract, or plan to provide to each affected group health benefit plan policyholder or contract holder or each affected individual health benefit plan policyholder or contract holder not less than 30 days' prior written notice of a modification to a formulary that results in the movement of a prescription drug to a tier with higher cost-sharing requirements. This requirement does not apply to modifications that occur at the time of coverage renewal. This bill is identical to SB 201.

Law Advice: FYI - No Direct Impact

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.

Law Advice: New Requirement

HB321 Entrepreneur-in-Residence Program; created.

Companion Bill: SB362

Chief Patron: Landes

Summary:

Creates the Entrepreneur-in-Residence Program, a pilot program administered by the Secretary of Commerce and Trade to improve outreach by state government to the private sector. The objectives of the Program are to (i) strengthen coordination and interaction between state government and the private sector on issues relevant to entrepreneurs and small business concerns and (ii) make state government programs and operations simpler, easier to access, more efficient, and more responsive to the needs of small business concerns and entrepreneurs. Under the bill, entrepreneurs-in-residence serve without compensation but, at the discretion of the head of the agency they were appointed to serve, may receive reasonable and necessary expenses incurred in the discharge of their duties. The bill also provides that the Secretary may contract with a public institution of higher education for the management and oversight of the Program. The Program was created by Chapter 788 of the Acts of Assembly of 2013 but will not become effective unless reenacted by the 2014 Session of the General Assembly. The Program has a July 1, 2017, sunset date. This bill is identical to SB 362.

Law Advice: FYI - No Direct Impact

Expires July 1, 2017.

HB323 Temporary detention order; transportation.

Chief Patron: O'Bannon

Summary:

Provides that a magistrate may specify any willing law-enforcement agency that has agreed to provide transportation to execute a temporary detention order and transport the person who is the subject of the order. Currently, the magistrate must specify the law-enforcement agency of the jurisdiction in which the person resides or, if the nearest boundary of the jurisdiction in which the person resides is more than 50 miles from the nearest boundary of the jurisdiction in which the person is located, the law-enforcement agency of the jurisdiction in which the person is located.

Law Advice: FYI - No Direct Impact

HB336 Insurance joint underwriting associations; board of directors.

Chief Patron: Bell, Robert B.

Summary:

Updates the insurance company trade associations that are authorized to appoint directors to the Medical Malpractice Joint Underwriting Association and the Commercial Liability Joint Underwriting Association if there is a need for either of the associations to be activated. References to (i) Alliance of American Insurers are changed to Property Casualty Insurers Association of America and (ii) National Association of Independent Insurers are changed to National Association of Mutual Insurance Companies.

Law Advice: FYI - No Direct Impact

HB340 Alternative Fuel Vehicle Conversion Fund; moneys in Fund to be used to assist local government, etc.

Chief Patron: Taylor

Summary:

Allows moneys in the Fund to be used by local governments, local governmental agencies, and local school divisions for the purpose of assisting with the incremental cost of local government-owned alternative fuel vehicles.

Law Advice: FYI - No Direct Impact

HB341 Natural gas vehicles; weight limit exception, allowance for Interstate highways.

Chief Patron: Taylor

Summary:

Allows vehicles fueled, wholly or partially, by natural gas to weigh up to 2,000 pounds more than the applicable weight limit on non-Interstate highways. The bill requires the operator of the vehicle to be able to demonstrate that the vehicle uses natural gas.

Law Advice: FYI - No Direct Impact

HB354 Veterans Service Organizations, Joint Leadership Council of; powers and duties.

Chief Patron: Cox

Summary:

Clarifies that the Joint Leadership Council of Veterans Service Organizations may advise the General Assembly regarding methods of providing support for ongoing veterans services and programs and addressing veterans issues on an ongoing basis.

Law Advice: FYI - No Direct Impact

HB364 Civics Education, Commission on; established in legislative branch of state government, report.

Chief Patron: Anderson

Summary:

Reestablishes the Commission on Civics Education, which expired on June 30, 2013. The purposes of the Commission are to educate students on the importance of citizen involvement in a constitutional republic, promote the study of state and local government among the Commonwealth's citizenry, and enhance communication and collaboration among organizations in the Commonwealth that conduct civics education. The Commission shall have a total of 15 members.

Law Advice: FYI - No Direct Impact

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.

Law Advice: New Requirement

HB380 Virginia Freedom of Information Act; disclosure pursuant to court order or subpoena.

Chief Patron: Surovell

Summary:

Provides that nothing in FOIA shall have any bearing upon disclosures required to be made pursuant to any court order or subpoena, nor shall any discretionary exemption from mandatory disclosure be construed to make records covered by such discretionary exemption privileged under the rules of discovery, unless disclosure is otherwise prohibited by law.

Law Advice: FYI - No Direct Impact

HB387 Newborns; critical congenital heart defect screening.

Companion Bill: SB183

Chief Patron: Comstock

Summary:

Requires every hospital in the Commonwealth having a newborn nursery to perform a critical congenital heart defect screening test on every newborn in its care when the child is at least 24 hours old but no more than 48 hours old or, in cases in which the infant is discharged prior to reaching 24 hours of age, prior to discharging the infant. An infant whose parent or guardian objects to the test on the grounds that the test conflicts with his religious practices shall not be required to receive the test. The bill also directs the Board of Health to convene a workgroup to provide information and recommendations for the development of regulations to implement the provisions of the act and requires regulations to be promulgated within 280 days of enactment. This bill is identical to SB 183.

Law Advice: New Requirement

Board of Health to promulgate regulations.

HB389 Unemployment compensation; voluntary separation presumed.

Chief Patron: Minchew

Summary:

Establishes a rebuttable presumption that an individual left work voluntarily if the individual was a graduate student whose employment commenced and ended between spring and fall semesters of his academic program and he returned to his academic program following his separation from employment.

Law Advice: Change in Requirement

HB391 National accrediting organizations; Joint Commission on Accreditation of Healthcare Organizations.

Chief Patron: Stolle

Summary:

Replaces outdated references to the Joint Commission on Accreditation of Healthcare Organizations with references to any national accrediting organization granted authority by the Centers for Medicare and Medicaid Services to ensure compliance with Medicare conditions of participation.

Law Advice: FYI - No Direct Impact

HB393 Judgment; payment required to be noted by creditor, penalty.

Chief Patron: Chafin

Summary:

Provides that payment by a debtor shall be entered on the judgment docket by the creditor within 90 days of payment of a judgment or within 10 days of being notified of satisfaction. The bill also provides that the judgment creditor shall be liable for a fine of \$100 as well as the cost of releasing the judgment if he fails to enter such payment under such terms. Under current law, the judgment creditor is only subject to a \$50 fine for failure to enter judgment within 10 days after receiving notice of satisfaction.

Law Advice: Change in Requirement

HB410 Student-athletes; effects of concussions on academic performance.

Companion Bill: SB172

Chief Patron: Anderson

Summary:

Requires each non-interscholastic youth sports program utilizing public school property to (i) establish policies and procedures regarding the identification and handling of suspected concussions in student-athletes, consistent with either the local school division's policies and procedures or the Board's Guidelines for Policies on Concussions in Student-Athletes, or (ii) follow the local school division's policies and procedures regarding the identification and handling of suspected concussions in student-athletes. The bill also adds information on the effects of concussions on academic performance to the Board's Guidelines for Policies on Concussions in Student-Athletes. This bill is identical

to SB 172.

Law Advice: FYI - No Direct Impact

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

Companion Bill: SB639

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.

Law Advice: FYI - No Direct Impact

HB420 Public assets; misuse, adoption of local ordinance by locality, penalty.

Chief Patron: Minchew

Summary:

Allows localities to adopt an ordinance that provides that a non-full-time officer, agent, employee, or elected official who misuses public assets when the value of such use exceeds \$1,000 in a 12-month period is guilty of a Class 1 misdemeanor.

Law Advice: FYI - No Direct Impact

HB436 Higher educational institutions; year-round instruction.

Chief Patron: LeMunyon

Summary:

Repeals the section of the Code of Virginia that continues in effect a chapter of the Acts of Assembly that directs certain public institutions of higher education to be placed on a year-round basis of instruction as soon as their financial resources will warrant to expedite the training of teachers. The bill is a recommendation of the Code Commission.

Law Advice: FYI - No Direct Impact

HB439 Fraud and Abuse Whistle Blower Protection Act; applicability to Virginia citizens.

Chief Patron: LeMunyon

Summary:

Expands the protections of the Fraud and Abuse Whistle Blower Protection Act to Virginia citizens and makes Virginia citizens eligible for an award from the Fraud and Abuse Whistle Blower Reward Fund, provided they meet the requirements of the Act, including where the disclosure results in a recovery of at least \$5,000. The bill contains technical amendments.

Law Advice: New Requirement

HB455 Southwest Virginia Health Authority; expands Authority to include Counties of Smyth and Washington.

Chief Patron: Kilgore

Summary:

Expands the Authority to include the Counties of Smyth and Washington.

Law Advice: FYI - No Direct Impact

HB456 Workers' compensation; civil penalty for failure to make required reports, collection costs.

Chief Patron: Kilgore

Summary:

Clarifies that the Virginia Workers' Compensation Commission is authorized to assess a civil penalty against an insurance carrier, self-insurer, group self-insurance association, or third-party administrator that fails to make reports required by the Commission. The measure also provides that (i) civil penalties will be allocated equally between the administrative fund and the Uninsured Employer's Fund and (ii) the Commission may add the costs of collecting the civil penalty to the aggregate civil penalty, with the collected costs to be paid into the administrative fund.

Law Advice: FYI - No Direct Impact

HB459 Virginia Workers' Compensation Commission; vacancies.

Chief Patron: Kilgore

Summary:

Authorizes the chairman of the Virginia Workers' Compensation Commission to recall retired members of the Commission to participate in a review of an award when vacancies exist on the Commission. The retired member or members recalled shall be the member or members who occupied the seat for which such member or members are being recalled, unless the parties otherwise consent. The measure also provides for the compensation of recalled retired members and clarifies that more than one deputy commissioner may be appointed to participate in a review.

Law Advice: FYI - No Direct Impact

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.

Law Advice: New Authority

UVa legislative proposal

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.

Law Advice: FYI - No Direct Impact

HB478 Emergency custody orders; duration, extension.

Chief Patron: Villanueva

Summary:

Extends the time that a person may be held pursuant to an emergency custody order from four hours with a possible two-hour extension to eight hours. The bill also provides that a representative of the law-enforcement agency that takes the person into emergency custody or executes an emergency custody order must notify the local community services board as soon as practicable after the person is taken into custody or the order is executed. The bill also requires that a person who is the subject of an emergency custody order or temporary detention order be given a written summary of the procedures and statutory protections associated with such custody or detention. Finally, the bill directs the Governor's Mental Health Task Force to study issues associated with law enforcement's involvement in the admission process and make recommendations designed to reduce the burden on law-enforcement resources. This bill incorporates HB 242, HB 294, HB 583, and HB 621.

Law Advice: Change in Requirement

Includes similar provisions to SB260.

HB500 Audiology; adds limited cerumen management to definition of practice.

Chief Patron: Yost

Summary:

Adds limited cerumen management to the definition of the practice of audiology and requires the Board of Audiology and Speech-Language Pathology to promulgate regulations governing the practice of cerumen management, including requirements related to the training and qualifications of audiologists who perform cerumen management, within 280 days.

Law Advice: Change in Requirement

Board of Audiology and Speech-Language Pathology to promulgate regulations.

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.

Law Advice: New Requirement

HB505 Dextromethorphan Distribution Act; penalty for distributing or selling Dextromethorphan to a minor.

Companion Bill: SB213

Chief Patron: Hodges

Summary:

Provides that no pharmacy or retail distributor may knowingly or intentionally sell or distribute a product containing dextromethorphan (a cough suppressant found in many over-the-counter medications) to a minor and that no minor may knowingly and intentionally purchase such product. A violation is punishable by a \$25 civil penalty. Additionally, a pharmacy or retail distributor shall not sell or distribute a product containing dextromethorphan unless the purchaser presents a government-issued photo-ID showing proof of age or the purchaser appears to be at least 25 years old. Upon a first violation, the pharmacy or retail distributor shall receive a notice of noncompliance, and any subsequent violation is punishable by a \$25 civil penalty. The bill also provides that a person who distributes or possesses with the intent to distribute unfinished dextromethorphan is guilty of a Class 1 misdemeanor. The bill has a delayed effective date of January 1, 2015, and is identical to SB 213.

Law Advice: New Requirement

Delayed effective date: January 1, 2015.

HB518 Certificates of analysis admitted into evidence; electronic signature.

Chief Patron: Morris

Summary:

Allows the Department of Forensic Science to electronically scan a blood withdrawal certificate into the Department's Laboratory Information Management System and to electronically transmit it and the certificate of analysis to the clerk of court. The bill also allows a certificate of analysis for drugs or alcohol use to be signed electronically.

Law Advice: FYI - No Direct Impact

HB539 Prescription Monitoring Program; delegation of authority.

Chief Patron: Hodges

Summary:

Authorizes dispensers who are authorized to access the information in the possession of the Prescription Monitoring

Program to delegate this authority to certain health care professionals employed at the same facility and under their direct supervision. The bill also changes the requirements for individuals to whom such authority may be delegated by prescribers or dispensers to include health care professionals licensed, registered, or certified by a health regulatory board in another state and employed at the same facility and under their direct supervision.

Law Advice: Change in Authority

HB540 Private behavioral health services providers; licensure.

Chief Patron: Hope

Summary:

Clarifies provisions governing issuance of a provisional license to a private provider by the Department of Behavioral Health and Developmental Services, providing that a provisional license may be issued at any time when a provider is temporarily unable to comply with all licensing standards, and clarifies situations in which certain sanctions may be imposed upon a provider.

Law Advice: FYI - No Direct Impact

HB541 Death; determination by specialist in field of neurology, neurosurgery, etc.

Chief Patron: O'Bannon

Summary:

Removes the requirement for a second physician to declare death when the initial declaration of death is made by a physician who is a specialist in the field of neurology, neurosurgery, electroencephalography, or critical care medicine.

Law Advice: Change in Requirement

HB574 Mandatory outpatient treatment; acknowledgement of transfer & receipt of order within 5 days.

Companion Bill: SB439

Chief Patron: Yost

Summary:

Extends the period that a person may be held pursuant to a temporary detention order from 48 hours to 72 hours. The bill also provides that the community services board required to monitor a person who is the subject of a mandatory outpatient treatment order shall acknowledge receipt of the order within five business days. If the person's case is transferred to another jurisdiction, the community services board serving that jurisdiction shall acknowledge the transfer and receipt of the order within five business days. This bill is identical to SB 439.

Law Advice: Change in Requirement

HB575 Perampanel and Lorcaserin; added to Schedules III and IV, respectively.

Chief Patron: O'Bannon

Summary:

Adds lorcaserin to the list of Schedule IV drugs and adds perampanel to the list of Schedule III drugs.

Law Advice: FYI - No Direct Impact

HB576 Virginia Military Survivors and Dependents Education Program; residency requirements.

Companion Bill: SB481

Chief Patron: Stolle

Summary:

Deems certain surviving spouses and dependents of military service members eligible for the Virginia Military Survivors and Dependents Education Program if the service member through whom they claim eligibility (i) has had a physical presence in Virginia for at least five years immediately prior to the date on which the admission application to the public institution of higher education was submitted; (ii) had a physical presence in Virginia on the date of his death and for at least five years immediately prior to his death; (iii) is deceased and the surviving parent of the qualifying child has had a physical presence in Virginia for at least five years immediately prior to the date on which the admission application to the public institution of higher education was submitted; and (iv) is deceased and the surviving spouse has had a physical presence in Virginia for at least five years prior to the date on which the admission application was submitted by the qualified spouse. Current law requires bona fide domiciliary status in Virginia in these circumstances. This bill is identical to SB 481.

Law Advice: Change in Requirement

HB580 Active duty military health care providers; practice at public and private health care facilities.

Chief Patron: Stolle

Summary:

Clarifies that the exemption from licensure requirements for active duty military health care providers applies to active duty health care providers providing health services at any public or private health care facilities in accordance with their official military orders. This bill includes an emergency clause.

Law Advice: Change in Requirement

Effective February 20, 2014.

HB586 Family Access to Medical Insurance Security Plan; eligibility for assistance.

Companion Bill: SB416

Chief Patron: O'Bannon

Summary:

Eliminates the requirement that an individual under the age of 19 must have been without health insurance for at least four months or must meet the requirements set forth in the Virginia Plan for Title XXI of the Social Security Act (Children's Health Insurance Program) to be eligible for assistance under the Family Access to Medical Insurance Security Plan. The bill requires regulations to be promulgated within 280 days of enactment and is identical to SB 416.

Law Advice: FYI - No Direct Impact

HB587 College campus police and security departments; DCJS to identify minimum core operational functions.

Companion Bill: SB440

Chief Patron: Yost

Summary:

Requires the Department of Criminal Justice Services to conduct a study to identify potential minimum core operational functions for college campus police and security departments. In conducting this study, the Department shall determine the cost to bring existing departments into compliance with such functions and legislative amendments needed in order to require compliance. This bill is identical to SB 440.

Law Advice: Monitor and Track

Department to report findings by November 1, 2014.

HB611 Health regulatory boards; denial or suspension of a license, certificate or registration, exception.

Chief Patron: Robinson

Summary:

Creates an exception to the requirement that health regulatory boards within the Department of Health Professions shall refuse to issue a license, certificate, or registration to an applicant if the candidate or applicant has had his license, certificate, or registration to practice the profession or occupation revoked or suspended in another jurisdiction and shall suspend the license, registration, or certification of a person licensed, registered, or certified in the Commonwealth if his license, registration, or certification has been suspended or revoked or accepted for surrender in lieu of disciplinary action in another jurisdiction for cases in which the revocation or suspension in the other jurisdiction is the result of nonrenewal of the license, registration, or certification.

Law Advice: FYI - No Direct Impact

HB612 Genetic counseling; regulation of practice, licensure, advisory board established.

Companion Bill: SB330

Chief Patron: Robinson

Summary:

Provides that no person shall practice or hold himself out as practicing genetic counseling without a valid, unrevoked license as a genetic counselor from the Board of Medicine. The bill establishes requirements and a process for licensure as a genetic counselor, sets forth exemptions from the requirements for a license, and establishes the Advisory Board on Genetic Counseling. This bill is identical to SB 330.

Law Advice: New Requirement

HB614 Landlord and tenant law; energy submetering, local government fees.

Chief Patron: Miller

Summary:

Provides that in lieu of increasing the rent, the owner, manager, or operator of a commercial or residential building or campground may employ a program that utilizes a mathematical formula for allocating the actual or anticipated local

government fees billed to the building or campground owner among the tenants in such building or campground if clearly stated in the rental agreement or lease. Such owner, manager, or operator of a commercial or residential building or campground may also charge and collect from each tenant additional service charges, including monthly billing fees, account set-up fees, or account move-out fees, to cover the actual costs of administrative expenses for administration of such a program. If the building is residential and is subject to the Virginia Residential Landlord and Tenant Act, such local government fees and administrative expenses shall be deemed to be rent. The bill defines the term "local government fees" as any local government charges or fees assessed against a commercial or residential building or campground, including stormwater, recycling, trash collection, elevator testing, fire or life safety testing, or residential rental inspection programs.

Law Advice: FYI - No Direct Impact

HB630 Virginia Workers' Compensation Commission; filing of documents or materials.

Chief Patron: Kilgore

Summary:

Eliminates the ability of parties to a workers' compensation proceeding to file documents or materials with the Virginia Workers' Compensation Commission by telegraph. The measure also permits the filing of documents and materials only by means of electronic transmission approved by the Commission.

Law Advice: FYI - No Direct Impact

HB638 Virginia Residential Landlord and Tenant Act; tenant's noncompliance, death of tenant.

Chief Patron: Miller

Summary:

Provides that the Virginia Residential Landlord and Tenant Act may also be cited as the "Virginia Rental Housing Act." The bill also allows a landlord, regardless of whether or not a lawsuit is filed or an order obtained from a court, to recover the following if the rental agreement so provides: (i) rent due and owing as contracted for in the rental agreement, (ii) other charges and fees as contracted for in the rental agreement, (iii) late charges contracted for in the rental agreement, (iv) reasonable attorney fees as contracted for in the rental agreement or as provided by law, (v) costs of the proceeding as contracted for in the rental agreement or as provided by law only if court action has been filed, and (vi) damages to the dwelling unit or premises as contracted in the rental agreement. The bill also requires, in an action for breach of the rental agreement or noncompliance by the tenant, the court to award a money judgment to the landlord if the landlord prevails and specifies what is to be awarded by the court, unless in any such action, the tenant proves by a preponderance of the evidence that the tenant's failure to pay rent or vacate was reasonable. The bill also provides that in the event of the death of a tenant who is the sole occupant of the dwelling unit, the rental agreement is deemed to be terminated by the landlord as of the date of death and provides that the estate of the tenant remains liable for actual damages.

Law Advice: FYI - No Direct Impact

HB661 Falsifying patient records; statute of limitation on prosecutions increased.

Chief Patron: Bell, Robert B.

Summary:

Increases from one year to three years the statute of limitations on prosecutions for the misdemeanor of falsifying

patient records with the intent to defraud.

Law Advice: FYI - No Direct Impact

HB662 Commercial driver's licenses, etc.; compliance with federal requirements.

Companion Bill: SB565

Chief Patron: Brink

Summary:

Amends several sections relating to commercial driver's licenses to comply with new Federal Motor Carrier Safety Administration requirements relating to commercial motor vehicles and prohibited use of handheld mobile telephones in commercial motor vehicles. The bill also requires distracted driving to be included as a part of the driver's license knowledge examination to comply with MAP-21 (Moving Ahead for Progress in the 21st Century Act, P.L. 112-141). In addition, the bill provides that DMV may continue to disclose personal information from crash reports, but only if otherwise authorized by law in order to comply with federal law. This bill is identical to SB 565.

Law Advice: FYI - No Direct Impact

HB680 Health Care, Joint Commission on; extends sunset provision to July 1, 2018.

Companion Bill: SB60

Chief Patron: Brink

Summary:

Extends the sunset provision for the Joint Commission on Health Care from July 1, 2015, to July 1, 2018. This bill is identical to SB 60.

Law Advice: FYI - No Direct Impact

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.

Law Advice: New Authority

UVa legislative proposal

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.

Law Advice: New Authority

UVa legislative proposal

HB725 Advisory Board on Teacher Education and Licensure, increases membership.

Chief Patron: McClellan

Summary:

Increases from 19 to 21 the total number of members and increases from two to four the number of members who shall be faculty members in teacher preparation programs in public or private institutions of higher education on the Advisory Board on Teacher Education and Licensure.

Law Advice: FYI - No Direct Impact

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.

Law Advice: New Authority

HB730 Public Safety & Homeland Security, & Veterans & Defense Affairs, Secretaries of; transfer of powers.

Companion Bill: SB381

Chief Patron: Lingamfelter

Summary:

Renames the Secretary of Public Safety as the Secretary of Public Safety and Homeland Security and reassigns duties currently assigned to the Secretary of Veterans Affairs and Homeland Security relating to homeland security. The bill renames the Secretary of Veterans Affairs and Homeland Security as the Secretary of Veterans and Defense Affairs.

The bill also incorporates portions of the JLARC report relating to improvements to Virginia's homeland security activities. The bill contains numerous amendments to accomplish this transfer of powers and duties. The bill contains an emergency clause and is identical to SB 381.

Law Advice: FYI - No Direct Impact

Effective March 3, 2014.

HB750 Virginia Information Technologies Agency; clarifies definition of communications services.

Companion Bill: SB393

Chief Patron: Rust

Summary:

Includes local, wide area, metropolitan, and all other data networks in the definition of "communications services" for the purposes of state agency procurement. This bill is identical to SB 393.

Law Advice: FYI - No Direct Impact

Exempt under Restructuring

HB764 Speech-language pathologists, assistant; practice of duties under licensed pathologist.

Chief Patron: Kory

Summary:

Permits a person to practice as an assistant speech-language pathologist upon meeting the requirements prescribed by the Board of Audiology and Speech-Language Pathology.

Law Advice: FYI - No Direct Impact

HB765 Health care policy, group health benefit plan, and health plan; definitions.

Companion Bill: SB360

Chief Patron: Ware

Summary:

Updates references to federal programs in the definitions of "health care policy," "group health benefit plan," and "health plan." This bill is identical to SB 360.

Law Advice: FYI - No Direct Impact

HB776 Surviving spouses of military members; eligibility for in-state tuition charges.

Chief Patron: Wilt

Summary:

Waives the requirement that the factors presented in support of entitlement to in-state tuition must exist for the one-year period prior to the date of the alleged entitlement for spouses of certain military members who were killed in action, are missing in action, or are prisoners of war.

Law Advice: Change in Requirement

HB790 General Services, Department of; inventory of all real property owned by the Commonwealth.

Chief Patron: LeMunyon

Summary:

Requires the Department of General Services to provide a listing of certain real property owned by the Commonwealth on the Department's website. The bill requires that the description of such property include parcel identification consistent with national spatial data standards in addition to a street address as available and reported to the Department.

Law Advice: FYI - No Direct Impact

Exempt under Restructuring

HB795 Waste kitchen grease; persons transporting to conspicuously display decal.

Companion Bill: SB614

Chief Patron: Wilt

Summary:

Requires certain persons transporting waste kitchen grease to conspicuously display a decal issued by the Commissioner on the outside of any vehicle used for such purpose. Current law requires the person to display his name and registration number on the vehicle in letters not less than three inches high. This bill is identical to SB 614.

Law Advice: Change in Requirement

HB796 Virginia Energy Plan; postpones due date for quadrennial updates.

Companion Bill: SB514

Chief Patron: Lopez

Summary:

Postpones the due date for quadrennial updates to the Virginia Energy Plan from July 1 to October 1. This bill is identical to SB 514.

Law Advice: FYI - No Direct Impact

HB829 Automated sales suppression devices; falsifying electronic records, penalties.

Companion Bill: SB611

Chief Patron: Keam

Summary:

Makes it a Class 1 misdemeanor to willfully utilize any device or software to falsify the electronic records of cash registers or manipulate transaction records that affect any state or local tax liability. The bill provides that any violation shall result in a civil penalty of \$20,000.

Law Advice: FYI - No Direct Impact

HB837 Virginia Freedom of Information Act; state agencies to post notice of allowable charges.

Chief Patron: Keam

Summary:

Requires state agencies in the executive branch to post on their respective public government websites the following statement: "A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. No public body shall impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the public body. Any duplicating fee charged by a public body shall not exceed the actual cost of duplication. All charges for the supplying of requested records shall be estimated in advance at the request of the citizen as set forth in subsection F of § 2.2-3704 of the Code of Virginia."

Law Advice: New Requirement

HB855 Health regulatory boards; reinstatement of licensure.

Companion Bill: SB463

Chief Patron: Garrett

Summary:

Provides that an applicant for reinstatement of a certificate, registration, or license that has been revoked bears the burden of proof to show to the appropriate health regulatory board by clear and convincing evidence that he is safe and competent to practice. This bill is identical to SB 463.

Law Advice: FYI - No Direct Impact

HB872 Interjurisdictional law-enforcement agreement; agreement may allow loan of unmarked police vehicles.

Chief Patron: Rush

Summary:

Provides that interjurisdictional law-enforcement agreements may allow the loan of unmarked police vehicles.

Law Advice: New Authority

HB874 Drugs; designation and reporting those of concern.

Chief Patron: Yost

Summary:

Authorizes the Board of Pharmacy to identify "drugs of concern" and requires such drugs of concern to be reported to the Prescription Monitoring Program.

Law Advice: Change in Requirement

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.

Law Advice: New Requirement

HB891 Health regulatory boards; powers and duties, special conference committees.

Chief Patron: Peace

Summary:

Provides that special conference committees may consider applications for a license, certificate, registration, permit, or issuance of a multistate licensure privilege and may grant or deny the application or issue a restricted license, certification, registration, permit, or multistate licensure privilege. The bill also provides that special conference committees may hear cases in which a holder of a permit issued by a health regulatory board is reported to be the subject of disciplinary action.

Law Advice: FYI - No Direct Impact

HB893 Anatomic pathology services; fees.

Chief Patron: Stolle

Summary:

Prohibits practitioners licensed by the Board of Medicine from charging a fee for anatomic pathology services performed by a person other than the practitioner or a person under the direct supervision of the practitioner that is greater than the fee paid for the delivery of such service.

Law Advice: New Requirement

HB923 Prescription Monitoring Program; disclosure method of information to recipient.

Companion Bill: SB526

Chief Patron: Peace

Summary:

Specifies that when the Director, in his discretion, discloses information that is in the possession of the program concerning a recipient who is over the age of 18 to that recipient, the information shall be mailed to the street or mailing address indicated on the recipient request form. This bill is identical to SB 526.

Law Advice: FYI - No Direct Impact

HB924 Chief Medical Examiner, Office of; powers and duties, medicolegal death examinations.

Chief Patron: O'Bannon

Summary:

Clarifies the powers and duties of the Office of the Chief Medical Examiner, the Chief Medical Examiner, Assistant Chief Medical Examiners, and appointed local medical examiners related to investigations of deaths.

Law Advice: FYI - No Direct Impact

HB926 Behavior analyst; exceptions to licensure requirements, Advisory Board established.

Chief Patron: Greason

Summary:

Establishes the Advisory Board on Behavior Analysis to advise the Board of Medicine on issues related to licensure of behavior analysts and assistant behavior analysts and provides that certain persons may perform behavior analysis as part of their program of study.

Law Advice: FYI - No Direct Impact

HB932 Virginia Jobs Investment Program; changes in administration.

Companion Bill: SB492

Chief Patron: Landes

Summary:

Changes the administration of the Virginia Jobs Investment Program from the Department of Small Business and Supplier Diversity to the Virginia Economic Development Partnership Authority. This bill is identical to SB 492.

Law Advice: FYI - No Direct Impact

HB949 Natural gas utilities; upstream supply infrastructure projects.

Companion Bill: SB519

Chief Patron: Hugo

Summary:

Authorizes a natural gas utility to recover eligible costs of eligible natural gas supply infrastructure projects. A plan for recovery of such costs may provide the utility with an option to receive the gas or sell the gas at market prices. The measure also (i) provides that the transportation of natural gas by pipeline, without providing service to end users within the territory, shall not be considered operating in the territory of another certificate holder; (ii) bars the State Corporation Commission from approving the construction of a natural gas compressor station in an area without the locality's certification only if the area is zoned exclusively for residential use; and (iii) expands the definition of a strategic natural gas facility to include a natural gas transmission company that adds design day deliverability or designed send out of at least 100,000 dekatherms per day in the aggregate. This bill is identical to SB 519.

Law Advice: FYI - No Direct Impact

HB969 Statute of limitations; injury to property, actions by the Commonwealth.

Chief Patron: Cline

Summary:

Provides for a statute of limitations of five years for actions for injury to property brought by the Commonwealth against a tort-feasor for expenses arising out of the negligent operation of a motor vehicle.

Law Advice: FYI - No Direct Impact

HB978 Utility crossings; localities, etc., whose facilities are to be crossed shall cooperate with other.

Chief Patron: Rust

Summary:

Requires a locality or political subdivision whose facilities are to be crossed or affected by a project under the Public-Private Transportation Act of 1995 to cooperate fully with other entities in planning and arranging the manner of the crossing or relocation of the facilities. If the locality or political subdivision and the private entity are not able to agree upon a plan for the crossing or relocation, the private entity is authorized to request the Commonwealth Transportation Board to resolve the matter. The measure also requires requests for approval of a transportation facility to include a list of the locality's or political subdivision's facilities that will be crossed by the transportation facility and a statement of plans to accommodate the crossings.

Law Advice: FYI - No Direct Impact

HB997 Cemeteries; procedure for removal and relocation of human remains.

Chief Patron: Anderson

Summary:

Provides that should any locality having acquired by any means land on which an abandoned graveyard is located, including lands acquired in accordance with § 22.1-126.1 for educational purposes, initiate plans to use that land for purposes other than to maintain the graveyard, such locality shall, prior to completion of said plans, develop and engage in active public notice and participation regarding efforts to avoid adverse impacts to the graveyard or to remove the remains interred in such graveyard to an alternative repository. The bill provides that such notice and participation shall include, at minimum, publication of at least one notice in a local newspaper of general circulation, notice posted at the site of the graveyard, and notice to and consultation with any historic preservation or other such commission, as well as area historical and genealogical societies, and at least one public hearing, and notice to the Department of Historic Resources (Department) and any local historical commission or organization. In addition, if a locality has acquired land on which an abandoned cemetery or gravesite of Virginians held as slaves at the time of their deaths is located, the locality must notify the Department of the location of such cemetery or gravesite. The Department shall maintain as a public record a listing of all locations of all abandoned cemeteries and gravesites of Virginians held as slaves at the time of their deaths that have been submitted to the Department.

Law Advice: FYI - No Direct Impact

HB1005 Health insurance policies; individual and group coverage, conversion policies.

Chief Patron: Byron

Summary:

Repeals provisions relating to the conversion of coverage under a group policy to an individual policy. The measure also provides that certain mandated offers do not apply to health care plans, contracts, or policies issued in the individual or small group market or to a qualified health plan offered in the Commonwealth by a health carrier through a health benefit exchange. The bill deletes references to individual conversion policies and includes technical and conforming changes.

Law Advice: FYI - No Direct Impact

HB1008 Voluntary apprenticeships; conforms provisions of Virginia's program to federal law.

Chief Patron: Byron

Summary:

Conforms provisions of Virginia's voluntary apprenticeship program to federal law in order to ensure the Department of Labor and Industry's continued recognition as a State Apprenticeship Agency. Changes include transferring to the Commissioner of Labor and Industry powers that currently may be exercised by the Apprenticeship Council, amending references to the Apprenticeship Council to refer to the Commissioner of Labor and Industry, and removing the exemption for apprentices currently in the Virginia Minimum Wage Act.

Law Advice: FYI - No Direct Impact

HB1009 Workforce development; changes name of Va. Workforce Council to Va. Board of Workforce Development.

Chief Patron: Byron

Summary:

Recasts the Virginia Workforce Council as the Virginia Board of Workforce Development. The Governor is authorized to appoint a Chief Workforce Development Advisor, and related responsibilities of the Governor are assigned to the Chief Workforce Development Advisor, who shall serve as lead staff to the Board. The Office of the Chancellor of the Virginia Community College System will provide staff support to accomplish the federally mandated requirements of the federal Workforce Investment Act. Staff support for the other duties and functions of the Board are to be provided by personnel from the Offices of the Secretaries of Education and Commerce and Trade pursuant to a memorandum of agreement. The bill decreases the membership from 31 to 26 and authorizes the Governor to select his designee from among the cabinet-level officials appointed to the Board. The bill also directs the establishment of an executive committee of the Board, which shall establish meeting agendas, approve reports to the Governor, and respond to certain urgent issues between scheduled Board meetings. The Board is also authorized to establish such other committees as it deems necessary, including (i) a committee to accomplish the federally mandated requirements of the WIA, (ii) an advanced technology committee, (iii) a performance and accountability committee, and (iv) a military transition assistance committee. The bill also establishes the Advanced Manufacturing Advisory Council to advise the Governor, General Assembly, and Board and to coordinate services, resources, and requests among agencies and institutions of higher education involved or requesting to be involved in the delivery of education and advanced manufacturing workforce training. Finally, the measure repeals the Advantage Virginia Incentive Program, Fund, and Foundation.

Law Advice: FYI - No Direct Impact

HB1031 Immunizations; updates provisions for children.

Chief Patron: Orrock

Summary:

Updates provisions governing immunizations for children.

Law Advice: FYI - No Direct Impact

HB1037 Medical reports as evidence; general district court.

Chief Patron: Joannou

Summary:

Provides that a medical report from a treating or examining health care provider may be admitted into evidence in a civil action for personal injuries or to resolve a dispute with an insurance company or health care provider in general district court or an appeal to circuit court, provided such report is accompanied by a sworn statement from the custodian of such report stating that the report is a true and accurate copy of the report. Currently, the report may only be admitted if it is accompanied by a sworn statement of the treating or examining health care provider.

Law Advice: FYI - No Direct Impact

HB1043 Health benefit exchanges; regulation of navigators.

Companion Bill: SB542

Chief Patron: Byron

Summary:

Requires navigators, on and after September 1, 2014, to be registered with the State Corporation Commission, in addition to being certified by the federal Department of Health and Human Services (HHS). The measure prohibits navigators from receiving compensation for services when prohibited by federal law. The Commission shall register a navigator if his character and general fitness warrant belief that he will act fairly, in the public interest, and in accordance with law. Navigators are required to submit an application to the Commission in a form the Commission prescribes, pay an application fee, and provide a criminal record history. The Commission is authorized to examine and investigate those involved in navigator activities and requires them to report to the Commission (i) any action taken by HHS, (ii) any felony conviction, and (iii) any administrative action taken in another jurisdiction or by another governmental agency in the Commonwealth. The Commission may determine whether the federal standards and qualifications for navigators are sufficient to ensure that navigators can perform their required duties. If the Commission finds that they are not, it is required to make a good faith effort to work in cooperation with the U.S. Secretary of HHS to propose improvements. If the Commission determines the standards and qualifications remain insufficient, the Commission is directed to adopt the necessary regulations to ensure that navigators can perform their required duties. This bill is identical to SB 542.

Law Advice: FYI - No Direct Impact

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.

Law Advice: Change in Requirement

HB1072 Personal Information Privacy Act; use of DMV-issued driver's license or ID card information.

Companion Bill: SB40

Chief Patron: Bulova

Summary:

Prohibits any merchant in the Commonwealth from scanning the machine-readable zone of an individual's Department of Motor Vehicles-issued identification card or driver's license, except to (i) verify authenticity of the identification card or driver's license or to verify the identity of the individual if the individual pays for goods or services with a method other than cash, returns an item, or requests a refund or an exchange; (ii) verify the individual's age in certain circumstances; (iii) prevent fraud or other criminal activity if the individual returns an item or requests a refund or an exchange and the merchant uses a fraud prevention service company or system; (iv) record, retain, or transmit information as required by state or federal law; (v) provide information to a regulated check services company; or (vi) complete a transaction permitted under certain federal statutes. Similar restrictions are imposed on a merchant's ability to retain or sell information obtained from such a scan. A person aggrieved by a violation may bring an action to recover damages of \$100 per violation, reasonable attorney fees, and court costs. This bill is identical to SB 40.

Law Advice: New Requirement

HB1076 Individuals with disabilities; terminology.

Chief Patron: Wilt

Summary:

Replaces the term "functional and central nervous system disabilities" with the term "physical or sensory disability" and changes the name of the Long-Term Rehabilitative Case Management System to the community rehabilitation case management system.

Law Advice: FYI - No Direct Impact

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.

Law Advice: New Requirement

HB1087 Alzheimer's Disease and Related Disorders Commission; extends sunset provision to July 1, 2017.

Companion Bill: SB82

Chief Patron: Leftwich

Summary:

Extends the sunset provision for the Alzheimer's Disease and Related Disorders Commission from July 1, 2014, to July 1, 2017. This bill is identical to SB 82.

Law Advice: FYI - No Direct Impact

HB1109 Higher Education Board, Virginia Commission on; increases membership.

Chief Patron: Bulova

Summary:

Increases the membership of the Virginia Commission on Higher Education Board Appointments from seven to eight by adding one faculty member of a public institution of higher education as a nonvoting member. The bill sets the quorum for the Commission at three voting members.

Law Advice: FYI - No Direct Impact

HB1129 Physician assistants; possession and administration of topical fluoride varnish.

Chief Patron: Garrett

Summary:

Allows physician assistants to possess and administer topical fluoride varnish to the teeth of children aged six months to three years pursuant to an oral or written order or a standing protocol issued by a doctor of medicine, osteopathic medicine, or dentistry that conforms to standards adopted by the Department of Health.

Law Advice: FYI - No Direct Impact

HB1134 Physician assistants; updates terminology related to practice agreements.

Chief Patron: O'Bannon

Summary:

Updates terminology related to practice agreements for physician assistants and adds physician assistants to the definition of "health care provider" for the purposes of medical malpractice.

Law Advice: FYI - No Direct Impact

HB1137 Higher educational institutions; unfunded scholarships.

Chief Patron: Cox

Summary:

Adds graduate assistants to the number of graduate students used to calculate the total value of unfunded scholarships annually awarded to graduate students and clinical faculty.

Law Advice: Change in Authority

HB1140 General Services, Department of; disposition of certain surplus materials.

Chief Patron: Lingamfelter

Summary:

Permits surplus materials from the Department of Defense Excess Property Program or other surplus property programs administered by the Commonwealth to be transferred or sold to Virginia charitable corporations granted tax-exempt status under § 501(c)(3) of the Internal Revenue Code and operating as an educational institution devoted to emergency management training, preparedness, and response.

Law Advice: FYI - No Direct Impact

Exempt under Restructuring

HB1160 Statutory construction, rules; computation of time.

Chief Patron: Adams

Summary:

Provides that for the purposes of the section of law relating to the computation of time, any day on which the Governor authorizes the closing of the state government shall be considered a legal holiday.

Law Advice: FYI - No Direct Impact

HB1166 Group accident and sickness insurance; blanket policies.

Chief Patron: Ingram

Summary:

Authorizes the delivery of blanket accident and sickness insurance policies. A blanket policy is a form of limited accident and sickness insurance that is defined as an excepted benefit and that provides coverage for specified circumstances and specific classes of persons defined in a policy issued to a master policyholder. Blanket insurance need not specifically name the persons covered, though a statement of the coverage provided may be given, or required by the policy to be given, to eligible persons. An individual application need not be required from a covered person and the insurer is not required to furnish a certificate to each covered person. A blanket accident and sickness insurance policy is required to conform to one of 12 specific categories or to any other risk or class of risks that, in the discretion of the State Corporation Commission, may be subject to the issuance of such a policy. Any benefits payable

under the blanket policy are required to be paid directly to the covered person.

Law Advice: FYI - No Direct Impact

HB1172 Temporary detention; procedure for transferring person.

Chief Patron: Bell, Robert B.

Summary:

Establishes a procedure for transferring custody of a person who is the subject of a temporary detention order from one facility to another facility.

Law Advice: FYI - No Direct Impact

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

Companion Bill: SB649

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.

Law Advice: Change in Requirement

HB1212 Governor's Development Opportunity Fund; political contributions and gifts, prohibited conduct.

Companion Bill: SB650

Chief Patron: LeMunyon

Summary:

Provides that the Governor, his campaign committee, and any political action committee established on his behalf shall not knowingly solicit or accept a contribution, gift, or other item with a value greater than \$50 from persons and entities seeking loans or grants from the Fund. The bill also restricts such gifts and contributions from persons and entities seeking loans or grants from the Fund. The bill provides that any violation shall result in a civil penalty of \$500 or up to two times the amount of the contribution or gift, whichever is greater. This bill is identical to SB 650.

Law Advice: FYI - No Direct Impact

HB1216 DBHDS; evaluate qualifications and training of individuals performing evaluations of individuals.

Companion Bill: SB261

Chief Patron: Bell, Robert B.

Summary:

Directs the Department of Behavioral Health and Developmental Services to review requirements for qualifications, training, and oversight of individuals designated by community services boards to perform evaluations of individuals subject to emergency custody orders and to make recommendations for changes to such requirements. The Department shall report its findings by December 1, 2014. This bill is identical to SB 261.

Law Advice: FYI - No Direct Impact

HB1220 Research and development, qualified; increases amount of tax credit for expenses.

Companion Bill: SB623

Chief Patron: Comstock

Summary:

Increases beginning with taxable year 2014 the amount of the credit allowed from 15 percent of the first \$167,000 to 15 percent of the first \$234,000 of Virginia qualified research and development expenses, and from 20 percent of the first \$175,000 to 20 percent of the first \$234,000 of Virginia qualified research and development expenses conducted in conjunction with a Virginia institution of higher education. The bill increases the maximum annual amount of tax credits that may be issued each fiscal year from \$5 million to \$6 million. The bill allows a pass-through entity to elect to receive and claim any credit at the pass-through entity level in lieu of the credit being allocated to the individual partners, members, or shareholders of the pass-through entity. Finally, the bill requires any taxpayer applying for the credit to provide information to the Department of Taxation relating to the number of full-time employees of the taxpayer; the taxpayer's industry sector; the area, discipline, or field of Virginia qualified research performed by the taxpayer; the taxpayer's total gross receipts for the relevant taxable year; and whether the qualified research was performed in conjunction with a Virginia institution of higher education. Further, regardless of how few taxpayers take the credit, the Department, upon request by the General Assembly or any duly constituted committee of the General Assembly, must disclose the total aggregate amount of credits under § 58.1-439.12:08 taken by all taxpayers. This bill is identical to SB 623.

Law Advice: FYI - No Direct Impact

HB1222 First responders; mental health education and training.

Chief Patron: Watts

Summary:

Provides that the Secretary of Public Safety and the Secretary of Health and Human Resources shall encourage the dissemination of information about specialized training in evidence-based strategies to prevent and minimize mental health crises in all jurisdictions. The information shall be disseminated to law-enforcement personnel, other first responders, hospital emergency department personnel, school personnel, and other interested parties.

Law Advice: FYI - No Direct Impact

HB1232 Acute psychiatric bed registry; DBHDS shall develop and administer a web-based registry.

Chief Patron: Cline

Summary:

Directs the Department of Behavioral Health and Developmental Services to establish an acute psychiatric bed registry that will provide real-time information on the availability of beds in public and private psychiatric facilities and residential crisis stabilization units for individuals who meet the criteria for temporary detention. The bill contains an emergency clause. This bill incorporates HB 599.

Law Advice: FYI - No Direct Impact

Includes similar provisions to SB260. Effective April 7, 2014.

HB1235 DHP; use of implantable medical devices distributed by physician-owned distributorships.

Companion Bill: SB536

Chief Patron: Peace

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 SB 536.

Law Advice: FYI - No Direct Impact

HB1249 Prescription Monitoring Program; registration with Program for prescriber treating human patients.

Companion Bill: SB294

Chief Patron: Hodges

Summary:

Requires prescribers to be registered with the Prescription Monitoring Program by the Department of Health Professions upon filing an application for licensure or renewal of a license, if the prescriber has not already registered. The bill requires prescribers to request information from the Director of the Department of Health Professions to determine what, if any, other covered substances are currently being prescribed to any patient for whom the prescriber is initiating a new course of treatment that includes the prescribing of benzodiazepine or an opiate, when such course of treatment is anticipated to last more than 90 consecutive days and for which a treatment agreement is entered into, except when the prescriber's course of treatment arises from pain management relating to dialysis or cancer treatment. The bill also authorizes the Secretary of Health and Human Resources to identify and publish a list of benzodiazepines

or opiates that have a low potential for abuse by human patients, the prescription of which shall not require the prescriber to request and obtain information from the Prescription Monitoring Program. This bill has a delayed effective date of July 1, 2015. This bill is identical to SB 294.

Law Advice: New Requirement

Delayed effective date: July 1, 2015.

HB1261 Carbon dioxide; regulating emissions.

Companion Bill: SB615

Chief Patron: Chafin

Summary:

Requires the Virginia Energy Plan to include, with regard to any regulations proposed or promulgated by the U.S. Environmental Protection Agency to reduce carbon dioxide emissions from fossil fuel-fired electric generating units under Section 37 111(d) of the Clean Air Act, an analysis of the costs to and benefits for energy producers and electric utility customers; the effect on energy markets and reliability; and the commercial availability of technology required to comply with such regulations. The measure postpones the due date for quadrennial updates to the Virginia Energy Plan from July 1 to October 1. Interim updates on the Plan are required to be provided by October 1 of the third year of each administration. The measure also requires the Division of Energy of the Department of Mines, Minerals and Energy, in Plan updates starting in 2014, to set forth energy policy positions relevant to any potential regulations of the State Air Pollution Control Board to reduce carbon dioxide emissions from fossil fuel-fired electric generating units under Section 111(d) of the Clean Air Act. The Division is required to address policy options for establishing separate standards of performance for carbon dioxide emissions from existing fossil fuel-fired electric generating units to promote the Plan's overall goal of fuel diversity. The Plan is also required to (i) examine policy options for state regulatory action to adopt less stringent standards or longer compliance schedules than those provided for in applicable federal rules or guidelines and (ii) identify options, to the maximum extent permissible, for any federally required regulation of carbon dioxide emissions from existing fossil fuel-fired electric generating units. This bill is identical to SB 615.

Law Advice: FYI - No Direct Impact

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

Companion Bill: SB239

Chief Patron: Hugo

Summary:

Requires the violence prevention committee of each public institution of higher education to establish policies and procedures that outline circumstances under which all faculty and staff are 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.

Law Advice: Change in Requirement

HJ28 Recycled material; Manufacturing Development Commission to study benefits in manufacturing process.

Companion Bill: SJ75

Chief Patron: Marshall, D.W.

Summary:

Directs the Manufacturing Development Commission to examine the economic and environmental benefits of the use of recycled material in the manufacturing process in Virginia. This resolution is identical to SJR 75.

Law Advice: FYI - No Direct Impact

HJ68 Viral hepatitis; Joint Commission on Health Care to study.

Chief Patron: Hodges

Summary:

Directs the Joint Commission on Health Care to identify resources available, and needed, for the treatment and prevention of viral hepatitis. The resolution directs the Commission to ascertain regulatory and other factors limiting the treatment and prevention of viral hepatitis and to identify opportunities for integration of viral hepatitis treatment within new or existing HIV-positive treatment programs.

Law Advice: FYI - No Direct Impact

HJ93 Chiropractic Health Week; designating as first week in October 2014, and each succeeding year.

Chief Patron: Hugo

Summary:

Designates the first week in October, in 2014 and in each succeeding year, as Chiropractic Health Week in Virginia.

Law Advice: FYI - No Direct Impact

HJ96 Virginia Freedom of Information Act; report.

Chief Patron: LeMunyon

Summary:

Directs the Virginia Freedom of Information Advisory Council to study all exemptions contained in the Virginia Freedom of Information Act to determine the continued applicability or appropriateness of such exemptions and whether the Virginia Freedom of Information Act should be amended to eliminate any exemption from the Virginia Freedom of Information Act that the Virginia Freedom of Information Advisory Council determines is no longer applicable or appropriate. The bill requires the FOIA Council to report its findings and recommendations by December 1, 2016.

Law Advice: Monitor and Track

HJ98 Sudden Unexpected Death in Epilepsy Awareness Day; designating as July 12, 2014.

Chief Patron: Keam

Summary:

Designates July 12, in 2014 and in each succeeding year, as Sudden Unexpected Death in Epilepsy Awareness Day in Virginia.

Law Advice: FYI - No Direct Impact

HJ103 Virginia's Line of Duty Act; Joint Legislative Audit and Review Commission to study.

Chief Patron: Jones

Summary:

Directs the Joint Legislative Audit and Review Commission to study Virginia's Line of Duty Act, the current and projected future costs of benefits awarded thereunder, and the advisability of coordinating those benefits with additional benefits paid under other state and federal programs.

Law Advice: FYI - No Direct Impact

HJ108 Rare Disease Day; designating as February 28, 2014, and each succeeding year thereafter.

Chief Patron: Anderson

Summary:

Designates February 28, in 2014 and in each succeeding year, as Rare Disease Day in Virginia.

Law Advice: FYI - No Direct Impact

HJ122 Statewide transportation technology goals and plan of action; VDOT, et al., to create, report.

Chief Patron: LeMunyon

Summary:

Requests the Secretary of Transportation and VDOT to create and implement statewide transportation technology goals and a five-year plan of action. Such goals and plan are to be directed to enhancing the efficiency, safety, and convenience of all modes of transportation throughout the Commonwealth.

Law Advice: FYI - No Direct Impact

HJ148 Oral health; recognizing importance as part of overall health.

Chief Patron: Peace

Summary:

Recognizes the importance of oral health as a part of overall health and supporting efforts to improve the oral health of all Virginians.

Law Advice: FYI - No Direct Impact

HJ161 Teen Cancer Awareness Week; designating as third week in January 2015, and each succeeding year.

Chief Patron: Rust

Summary:

Designates the third week in January, in 2015 and in each succeeding year, as Teen Cancer Awareness Week in

Virginia.

Law Advice: FYI - No Direct Impact

HJ280 Celebrating the life of Joseph Charles Palumbo.

Chief Patron: Toscano

Summary:

Celebrating the life of Joseph Charles Palumbo.

Law Advice: FYI - No Direct Impact

HJ284 Commemorating the 50th anniversary of the United States Surgeon General's Smoking report.

Chief Patron: Hope

Summary:

Commemorating the 50th anniversary of the United States Surgeon General's Smoking and Health report.

Law Advice: FYI - No Direct Impact

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

Companion Bill: SJ127

Chief Patron: Loupassi

Summary:

Celebrating the life of Joshua P. Darden, Jr.

Law Advice: FYI - No Direct Impact

HR12 Commending the 2014 inductees into the Virginia Sports Hall of Fame.

Companion Bill: SR1

Chief Patron: James

Summary:

Commending the 2014 inductees into the Virginia Sports Hall of Fame.

Law Advice: FYI - No Direct Impact

SB18 Unemployment compensation; voluntarily leaving employment to accompany military spouse.

Chief Patron: Locke

Summary:

Provides that good cause for leaving employment exists if an employee voluntarily leaves a job to accompany the employee's spouse, who is on active duty in the military or naval services of the United States, to a new military-related assignment established pursuant to a permanent change of duty order from which the employee's place of employment is not reasonably accessible. The measure applies only if the state to which the spouse is transferred has a similar provision, unless the transfer involves members of the Virginia National Guard relocated within the

Commonwealth. Benefits paid to qualifying claimants shall be charged against the pool rather than against the claimant's employer. The measure also repeals Chapter 878 of the 2009 Acts of Assembly, which is similar to this measure but did not take effect because the contingency in its third enactment was not satisfied. The measure will expire on December 31, 2020. The Virginia Employment Commission is required to report to the Commission on Unemployment Compensation regarding the effects of allowing such claimants to be eligible for unemployment benefits.

Law Advice: Change in Requirement

SB40 Personal Information Privacy Act; use of DMV-issued driver's license or ID card information.

Companion Bill: HB1072

Chief Patron: Marsden

Summary:

Prohibits any merchant in the Commonwealth from scanning the machine-readable zone of an individual's Department of Motor Vehicles-issued identification card or driver's license, except to (i) verify authenticity of the identification card or driver's license or to verify the identity of the individual if the individual pays for goods or services with a method other than cash, returns an item, or requests a refund or an exchange; (ii) verify the individual's age in certain circumstances; (iii) prevent fraud or other criminal activity if the individual returns an item or requests a refund or an exchange and the merchant uses a fraud prevention service company or system; (iv) record, retain, or transmit information as required by state or federal law; (v) provide information to a regulated check services company; or (vi) complete a transaction permitted under certain federal statutes. Similar restrictions are imposed on a merchant's ability to retain or sell information obtained from such a scan. A person aggrieved by a violation may bring an action to recover damages of \$100 per violation, reasonable attorney fees, and court costs. This bill is identical to HB 1072.

Law Advice: New Requirement

SB60 Health Care, Joint Commission on; extends sunset provision to July 1, 2018.

Companion Bill: HB680

Chief Patron: Puller

Summary:

Extends the sunset provision for the Joint Commission on Health Care from July 1, 2015, to July 1, 2018. This bill is identical to HB 680.

Law Advice: FYI - No Direct Impact

SB77 Dead human bodies; absence of next of kin, disposition of remains, prerequisites for cremation.

Chief Patron: Martin

Summary:

Provides that, in the absence of a next of kin, a person designated to make arrangements for disposition of a decedent's remains, an agent named in an advance directive, or a guardian who exercises powers conferred in an order of appointment, or upon the failure or refusal of such next of kin, designated person, agent, or guardian to accept responsibility for the disposition of the decedent's remains, any person who is 18 years of age or older who is able to provide identification of the deceased and willing to pay the costs of disposition of the remains may make arrangements for such disposition and may authorize cremation. The bill also provides that a funeral service

establishment or funeral service licensee who makes arrangements in accordance with the provisions of this act shall be immune from civil liability absent bad faith or malicious intent.

Law Advice: FYI - No Direct Impact

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.

Law Advice: New Authority

UVa legislative proposal

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.

Law Advice: New Authority

UVa legislative proposal

SB82 Alzheimer's Disease and Related Disorders Commission; extends sunset provision to July 1, 2017.

Companion Bill: HB1087

Chief Patron: Ruff

Summary:

Extends the sunset provision for the Alzheimer's Disease and Related Disorders Commission from July 1, 2014, to July 1, 2017. This bill is identical to HB 1087.

Law Advice: FYI - No Direct Impact

SB87 VRS; technical amendments to programs administered by System.

Chief Patron: Watkins

Summary:

Makes technical amendments to the programs administered by the Virginia Retirement System.

Law Advice: FYI - No Direct Impact

SB110 Unemployment compensation; short-time compensation program, report.

Chief Patron: Stanley

Summary:

Establishes a short-time compensation program that provides employers with the option of reducing the hours worked by employees, while permitting the employees whose hours are reduced to receive partial compensation for lost wages. Program participation requires Virginia Employment Commission approval of a plan, which must provide that the reduction in hours of work is in lieu of a layoff of an equivalent percentage of employees and that employees' health and retirement benefits cannot be reduced or eliminated under the plan. An employer is not eligible to participate in the program if it has negative unemployment experience, is assigned the maximum experience rating tax rate, is assigned the tax rate for new employers, or reduced its workforce by 20 percent or more during the preceding six months. Participating employers are required to provide information regarding whether the plan is intended to be a transition to permanent layoffs. An individual who satisfies other requirements for unemployment benefits will be eligible for short-term compensation if he is available for the individual's usual hours of work with the participating employer, which may include participating in certain training programs. The measure requires the Commission to submit reports on the program's implementation and accomplishments, with recommendations to improve its effectiveness. The measure becomes effective January 1, 2015. The bill has an expiration date of January 1, 2020; however, if federal grants covering certain costs of establishing the program are not received by the Commission by July 1, 2016, the bill will expire on that date.

Law Advice: New Authority

Delayed effective date: January 1, 2015. Expires January 1, 2020 (or July 1, 2016 if federal grants covering costs of establishing the program are not received).

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.

Law Advice: New Requirement

SB161 FOIA; participation in meetings by electronic communication in event of emergency, etc.

Companion Bill: HB193

Chief Patron: Favola

Summary:

Removes the requirement that a public body approve by a majority vote of the members present at a meeting the remote participation in the meeting by one of its members. The bill instead requires the public body to have adopted a written policy allowing for and governing participation including an approval process for such participation of its members by electronic communication means. Once adopted, the public body shall apply this policy strictly and uniformly, without exception, to its entire membership, and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting. This bill is identical to HB 193.

Law Advice: Change in Requirement

SB172 Student-athletes; effects of concussions on academic performance.

Companion Bill: HB410

Chief Patron: Stuart

Summary:

Requires each non-interscholastic youth sports program utilizing public school property to (i) establish policies and procedures regarding the identification and handling of suspected concussions in student-athletes, consistent with either the local school division's policies and procedures or the Board's Guidelines for Policies on Concussions in Student-Athletes, or (ii) follow the local school division's policies and procedures regarding the identification and handling of suspected concussions in student-athletes. The bill also adds information on the effects of concussions on academic performance to the Board's Guidelines for Policies on Concussions. This bill is identical to HB 410.

Law Advice: FYI - No Direct Impact

SB183 Newborns; critical congenital heart defect screening, duty of Board.

Companion Bill: HB387

Chief Patron: McWaters

Summary:

Requires every hospital in the Commonwealth having a newborn nursery to perform a critical congenital heart defect screening test on every newborn in its care when the child is at least 24 hours old but no more than 48 hours old or, in cases in which the infant is discharged prior to reaching 24 hours of age, prior to discharging the infant. An infant whose parent or guardian objects to the test on the grounds that the test conflicts with his religious practices shall not be required to receive the test. The bill also directs the Board of Health to convene a work group to provide information and recommendations for the development of regulations to implement the provisions of the act and requires regulations to be promulgated within 280 days of enactment. This bill is identical to HB 387.

Law Advice: New Requirement

Board of Health to promulgate regulations.

SB185 Physician assistant; expert witness testimony.

Companion Bill: HB191

Chief Patron: Stuart

Summary:

Allows a properly qualified physician assistant to testify as an expert witness in a court of law on certain matters

within the scope of his activities as authorized under Virginia law, except in any medical malpractice action for or against (i) a defendant doctor of medicine or osteopathic medicine regarding standard of care or (ii) a defendant health care provider regarding causation. The bill also adds "treatment" and "treatment plan" to those matters about which a chiropractor may testify as an expert witness. This bill is identical to HB 191.

Law Advice: FYI - No Direct Impact

SB186 Criminal Injuries Compensation Fund; filing of claims.

Chief Patron: McDougle

Summary:

Allows the Fund to extend the time for filing a claim if the attorney for the Commonwealth submits written notice that the crime is being investigated as a result of newly discovered evidence. The bill applies to crimes committed on or after July 1, 1977, because under current law, the only claims that can be accepted are those for crimes that occurred on or after that date. The bill does not apply to crimes committed on or after July 1, 2001, because legislation that became effective on July 1, 2001, allowed the Virginia Workers' Compensation Commission, which administers the Fund, to extend the time for filing for good cause shown.

Law Advice: Change in Authority

SB188 State and local employees; deferred compensation plans.

Chief Patron: McDougle

Summary:

Authorizes the inclusion of a Roth contribution program in deferred compensation retirement plans for state and local government employees beginning July 1, 2015.

Law Advice: New Authority

Delayed effective date: July 1, 2015.

SB194 Eminent domain; date of valuation in actions shall be determined by court.

Chief Patron: Black

Summary:

Provides that the "date of valuation" of property in an inverse condemnation proceeding is the date determined by the court to be the date the property was taken or damaged.

Law Advice: Change in Requirement

SB201 Health insurance; prescription drug formularies, notices.

Companion Bill: HB308

Chief Patron: Puller

Summary:

Requires any health insurer, corporation providing individual or group accident and sickness subscription contracts, or health maintenance organization that applies a formulary to prescription drug benefits provided under its policy, contract, or plan to provide to each affected group health benefit plan policyholder or contract holder or each affected individual health benefit plan policyholder or contract holder not less than 30 days' prior written notice of a

modification to a formulary that results in the movement of a prescription drug to a tier with higher cost-sharing requirements. This requirement does not apply to modifications that occur at the time of coverage renewal. This bill is identical to HB 308.

Law Advice: FYI - No Direct Impact

SB203 Occupational therapy; practice as a therapist or therapist assistant applicant.

Chief Patron: Carrico

Summary:

Provides that a person who has graduated from a duly accredited educational program in occupational therapy may practice under the title "Occupational Therapist, License Applicant" and that a person who has graduated from a duly accredited occupational therapy assistant education program may practice under the title "Occupational Therapy Assistant, License Applicant" until he has received a failing score on any examination required by the Board of Occupational Therapy or until six months have elapsed from the date of graduation, whichever occurs sooner.

Law Advice: Change in Requirement

SB213 Dextromethorphan Distribution Act; penalty.

Companion Bill: HB505

Chief Patron: Carrico

Summary:

Provides that no pharmacy or retail distributor may knowingly or intentionally sell or distribute a product containing dextromethorphan (a cough suppressant found in many over-the-counter medications) to a minor and that no minor may knowingly and intentionally purchase such product. A violation is punishable by a \$25 civil penalty. Additionally, a pharmacy or retail distributor shall not sell or distribute a product containing dextromethorphan unless the purchaser presents a government-issued photo-ID showing proof of age or the purchaser appears to be at least 25 years old. Upon a first violation, the pharmacy or retail distributor shall receive a notice of noncompliance, and any subsequent violation is punishable by a \$25 civil penalty. The bill also provides that a person who distributes or possesses with the intent to distribute unfinished dextromethorphan is guilty of a Class 1 misdemeanor. The bill has a delayed effective date of January 1, 2015, and is identical to HB 505.

Law Advice: New Requirement

Delayed effective date: January 1, 2015.

SB215 Virginia College Savings Plan; Plan established as a body politic and corporate.

Companion Bill: HB203

Chief Patron: Howell

Summary:

Declares the Virginia College Savings Plan to be a body politic and corporate. The bill contains an emergency clause. This bill is identical to HB 203.

Law Advice: FYI - No Direct Impact

SB239 Student mental health policies and procedures; violence prevention committees.

Companion Bill: HB1268

Chief Patron: Petersen

Summary:

Requires the violence prevention committee of each public institution of higher education to establish policies and procedures that outline circumstances under which all faculty and staff are 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.

Law Advice: Change in Requirement

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.

Law Advice: New Requirement

SB244 Higher Education for Virginia, State Council of; elimination of certain duties and programs.

Chief Patron: Edwards

Summary:

Eliminates the duty of the State Council of Higher Education for Virginia (SCHEV) to (i) develop policies and procedures for disclosing certain information to students on student lending practices; (ii) develop, in collaboration with public institutions of higher education and the Department of Health, education programs for college students on the etiology, effects, and prevention of infection with human immunodeficiency virus; and (iii) establish institutes that provide in-service training on the effective use of technology to teachers, administrators, and librarians. The bill transfers the administration of the Virginia Vocational Incentive Scholarship Program for Shipyard Workers and the companion Fund from SCHEV to Tidewater Community College and specifies that shipyard workers enrolled in a certain apprenticeship program are eligible for such program and fund. The bill abolishes the Virginia Graduate and Undergraduate Assistance Program, the College Scholarship Assistance Program, and the Virginia College Savings Program. The bill does not impact the Virginia College Savings Plan, commonly referred to as the Virginia 529 College Savings Plan or Virginia 529. Finally, the bill relocates a traineeship program administered by the Board of Education from Title 23 to Title 22.1.

Law Advice: FYI - No Direct Impact

SB253 Health care providers; civil immunity for members of or consultants to boards or committees.

Companion Bill: HB130

Chief Patron: McDougale

Summary:

Extends civil liability protection to members of, or consultants to, boards or committees established (i) under the requirements of a national accrediting organization granted authority by the Centers for Medicare and Medicaid Services or (ii) pursuant to guidelines approved or adopted by statewide or local associations representing licensed health care providers for acts or omissions done in the performance of their duties as members of, or consultants to, such boards or committees. Under current law, the board or committee may only be established pursuant to federal or state law or to Joint Commission on Accreditation Healthcare Organization requirements. This bill is identical to HB 130.

Law Advice: Change in Requirement

SB260 Emergency custody & temporary detention; web-based psychiatric bed registry, period of custody.

Chief Patron: Deeds

Summary:

Extends the time that a person may be held pursuant to an emergency custody order from four hours with a possible two-hour extension to eight hours. The bill also provides that a representative of the law-enforcement agency that takes the person into emergency custody or executes an emergency custody order must notify the local community services board as soon as practicable after the person is taken into custody or the order is executed. The bill provides further that an individual for whom a temporary detention order is issued shall be detained in a state facility unless the state facility or an employee or designee of the community services board is able to identify an alternative facility that is able and willing to provide temporary detention. Under no circumstances shall a state facility fail or refuse to admit an individual who meets the criteria for temporary detention unless an alternative facility has agreed to accept the individual. The state facility and the local community services board may continue to look for an alternative facility for an additional four hours. The provisions of this bill allowing for this additional four-hour period expire on June 30, 2018. The bill also requires that a person who is the subject of an emergency custody order or temporary detention order be given a written summary of the procedures and statutory protections associated with such custody or detention. The bill also directs the Department of Behavioral Health and Developmental Services to establish an acute psychiatric bed registry that will provide real-time information on the availability of beds in public and private psychiatric facilities and residential crisis stabilization units for individuals who meet the criteria for temporary detention. The provisions of the bill establishing such registry are subject to an emergency clause. The Department of Behavioral Health and Developmental Services shall submit an annual report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on the implementation of the provisions of the bill. Finally, the bill directs the Governor's Mental Health Task Force to study issues associated with law enforcement's involvement in the admission process and make recommendations designed to reduce the burden on law-enforcement resources. This bill incorporates SB 200, SB 263, SB 370, and SB 458.

Law Advice: Change in Requirement

Includes similar provisions to HB478 and HB1232. See full text for effective dates of various sections.

SB261 DBHDS; qualifications of individuals performing certain evaluations.

Companion Bill: HB1216

Chief Patron: Deeds

Summary:

Directs the Department of Behavioral Health and Developmental Services to review requirements for qualifications, training, and oversight of individuals designated by community services boards to perform evaluations of individuals subject to emergency custody orders and to make recommendations for changes to such requirements. The Department shall report its findings by December 1, 2014. This bill is identical to HB 1216.

Law Advice: FYI - No Direct Impact

SB294 Prescription Monitoring Program; requirements of prescriber, effective date.

Companion Bill: HB1249

Chief Patron: Puckett

Summary:

Requires prescribers to be registered with the Prescription Monitoring Program by the Department of Health Professions upon filing an application for licensure or renewal of a license, if the prescriber has not already registered. The bill requires prescribers to request information from the Director of the Department of Health Professions to determine what, if any, other covered substances are currently being prescribed to any patient for whom the prescriber is initiating a new course of treatment that includes the prescribing of benzodiazepine or an opiate, when such course of treatment is anticipated to last more than 90 consecutive days and for which a treatment agreement is entered into, except when the prescriber's course of treatment arises from pain management relating to dialysis or cancer treatment. The bill also authorizes the Secretary of Health and Human Resources to identify and publish a list of benzodiazepines or opiates that have a low potential for abuse by human patients, the prescription of which shall not require the prescriber to request and obtain information from the Prescription Monitoring Program. This bill has a delayed effective date of July 1, 2015. The bill is identical to HB 1249.

Law Advice: New Requirement

Delayed effective date: July 1, 2015.

SB304 Dead human bodies; establishes a process for disposition for unclaimed bodies.

Chief Patron: Alexander

Summary:

Establishes a process for the disposition of unclaimed dead bodies. The bill contains an emergency clause.

Law Advice: New Requirement

Effective March 7, 2014.

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.

Law Advice: New Requirement

SB330 Genetic counseling; regulation of practice, licensure, advisory board established.

Companion Bill: HB612

Chief Patron: Howell

Summary:

Provides that no person shall practice or hold himself out as practicing genetic counseling without a valid, unrevoked license as a genetic counselor from the Board of Medicine. The bill establishes requirements and a process for licensure as a genetic counselor, sets forth exemptions from the requirements for a license, and establishes the Advisory Board on Genetic Counseling. This bill is identical to HB 612.

Law Advice: New Requirement

SB331 Investigation of cases involving alleged sexual abuse of a child; qualifications of investigator.

Chief Patron: Howell

Summary:

Prohibits any individual who has not previously participated in investigations of alleged abuse or neglect of a child from participating in investigations of cases of alleged sexual abuse of a child unless he has completed a training program for investigation of cases involving alleged sexual abuse of a child or is directly supervised by a person who has completed such training. The bill also prohibits individuals who have not completed training for investigation of cases involving alleged sexual abuse of a child from making dispositional findings in such cases.

Law Advice: FYI - No Direct Impact

SB349 Seized drugs and paraphernalia; forfeiture to law enforcement.

Companion Bill: HB186

Chief Patron: Cosgrove

Summary:

Provides that seized drugs and drug paraphernalia, the lawful possession of which is not established or the title to which cannot be ascertained, may be forfeited to a law-enforcement agency for training purposes pursuant to a court order. Current law limits such forfeiture to the Department of Forensic Science for research and training purposes. Limitations are placed on the amount of drugs that a law-enforcement agency may retain and monthly inventories must be submitted to the chief law-enforcement officer in writing. Drugs must be destroyed within 12 months of being obtained and time, place, and manner of destruction must be certified to the court. This bill is identical to HB 186.

Law Advice: FYI - No Direct Impact

SB360 Health care policy, group health benefit plan, and health plan; definitions.

Companion Bill: HB765

Chief Patron: McWaters

Summary:

Updates references to federal programs in the definitions of "health care policy," "group health benefit plan," and

"health plan." This bill is identical to HB 765.

Law Advice: FYI - No Direct Impact

SB362 Entrepreneur-in-Residence Program; created.

Companion Bill: HB321

Chief Patron: Saslaw

Summary:

Creates the Entrepreneur-in-Residence Program, a pilot program administered by the Secretary of Commerce and Trade to improve outreach by state government to the private sector. The objectives of the Program are to (i) strengthen coordination and interaction between state government and the private sector on issues relevant to entrepreneurs and small business concerns and (ii) make state government programs and operations simpler, easier to access, more efficient, and more responsive to the needs of small business concerns and entrepreneurs. Under the bill, entrepreneurs-in-residence serve without compensation but, at the discretion of the head of the agency they were appointed to serve, may receive reasonable and necessary expenses incurred in the discharge of their duties. The bill also provides that the Secretary may contract with a public institution of higher education for the management and oversight of the Program. The Program was created by Chapter 788 of the Acts of Assembly of 2013 but will not become effective unless reenacted by the 2014 Session of the General Assembly. The Program has a July 1, 2017, sunset date. This bill is identical to HB 321.

Law Advice: FYI - No Direct Impact

Expires July 1, 2017.

SB381 Public Safety & Homeland Security, & Veterans & Defense Affairs, Secretaries of; transfer of powers.

Companion Bill: HB730

Chief Patron: Reeves

Summary:

Renames the Secretary of Public Safety as the Secretary of Public Safety and Homeland Security and reassigns duties currently assigned to the Secretary of Veterans Affairs and Homeland Security relating to homeland security. The bill renames the Secretary of Veterans Affairs and Homeland Security as the Secretary of Veterans and Defense Affairs. The bill also incorporates portions of the JLARC report relating to improvements to Virginia's homeland security activities. The bill contains numerous amendments to accomplish this transfer of powers and duties. The bill contains an emergency clause and is identical to HB 730.

Law Advice: FYI - No Direct Impact

Effective April 2, 2014.

SB393 Virginia Information Technologies Agency; clarifies definition of communications services.

Companion Bill: HB750

Chief Patron: Vogel

Summary:

Includes local, wide area, metropolitan, and all other data networks in the definition of "communications services" for

the purposes of state agency procurement. This bill is identical to HB 750.

Law Advice: FYI - No Direct Impact

Exempt under Restructuring

SB416 Family Access to Medical Insurance Security Plan; eligibility for assistance.

Companion Bill: HB586

Chief Patron: Hanger

Summary:

Eliminates the requirement that an individual under the age of 19 must have been without health insurance for at least four months or must meet the requirements set forth in the Virginia Plan for Title XXI of the Social Security Act (Children's Health Insurance Program) to be eligible for assistance under the Family Access to Medical Insurance Security Plan. The bill requires regulations to be promulgated within 280 days of enactment and is identical to HB 586.

Law Advice: FYI - No Direct Impact

SB439 Mandatory outpatient treatment; acknowledgement of transfer & receipt of order within 5 days.

Companion Bill: HB574

Chief Patron: Barker

Summary:

Extends the period that a person may be held pursuant to a temporary detention order from 48 hours to 72 hours. The bill also provides that the community services board required to monitor a person who is the subject of a mandatory outpatient treatment order shall acknowledge receipt of the order within five business days. If the person's case is transferred to another jurisdiction, the community services board serving that jurisdiction shall acknowledge the transfer and receipt of the order within five business days. This bill is identical to HB 574.

Law Advice: Change in Requirement

SB440 College campus police and security departments; DCJS to identify minimum core operational functions.

Companion Bill: HB587

Chief Patron: Barker

Summary:

Requires the Department of Criminal Justice Services to conduct a study to identify potential minimum core operational functions for college campus police and security departments. In conducting this study, the Department shall determine the cost to bring existing departments into compliance with such functions and legislative amendments needed in order to require compliance. This bill is identical to HB 587.

Law Advice: Monitor and Track

Department to report findings by November 1, 2014.

SB448 Hazing; institution policies.

Chief Patron: Norment

Summary:

Requires the policies of any public school or public institution of higher education regarding hazing to be consistent with model policies established by the Department of Education or the State Council of Higher Education for Virginia, as applicable, and directs such agencies to establish such model policies with the Department of Criminal Justice Services.

Law Advice: New Requirement

SB449 SCHEV; articulation, dual admissions, and guaranteed admissions agreements.

Chief Patron: Norment

Summary:

Renames the State Transfer Module as the State Transfer Tool and requires the State Council of Higher Education to develop guidelines to govern the development and implementation of articulation, dual admissions, and guaranteed admissions agreements between the Commonwealth's public two-year and four-year institutions of higher education. Under current law, the Council is required to use the State Transfer Module to develop articulation, transfer, and dual enrollment and admissions agreements between the Commonwealth's public two-year and four-year institutions of higher education.

Law Advice: FYI - No Direct Impact

SB460 Higher educational institutions, private; certification.

Chief Patron: Norment

Summary:

Increases, from 10 to 20, the number of years a private institution is required to have maintained a main or branch campus continuously in the Commonwealth under its current ownership and has been continuously approved or authorized to confer or grant academic or professional degrees by the State Council of Higher Education for Virginia, by the Board of Education, or by an act of the General Assembly in order to be exempt from the requirement to obtain another certification from the Council. The bill contains a grandfather clause.

Law Advice: FYI - No Direct Impact

SB463 Health regulatory boards; reinstatement of licensure.

Companion Bill: HB855

Chief Patron: Barker

Summary:

Provides that an applicant for reinstatement of a certificate, registration, or license that has been revoked bears the burden of proof to show to the appropriate health regulatory board by clear and convincing evidence that he is safe and competent to practice. This bill is identical to HB 855.

Law Advice: FYI - No Direct Impact

SB464 Human Resource Management, Department of; state health plan.

Chief Patron: Watkins

Summary:

Removes "part-time state employees" from the definitions under the state health plan established by the Department of Human Resource Management.

Law Advice: FYI - No Direct Impact

SB481 Virginia Military Survivors and Dependents Education Program; residency requirements.

Companion Bill: HB576

Chief Patron: Puller

Summary:

Deems certain surviving spouses and dependents of military service members eligible for the Virginia Military Survivors and Dependents Education Program if the service member through whom they claim eligibility (i) has had a physical presence in Virginia for at least five years immediately prior to the date on which the admission application to the public institution of higher education was submitted; (ii) had a physical presence in Virginia on the date of his death and for at least five years immediately prior to his death; (iii) is deceased and the surviving parent of the qualifying child has had a physical presence in Virginia for at least five years immediately prior to the date on which the admission application to the public institution of higher education was submitted; and (iv) is deceased and the surviving spouse has had a physical presence in Virginia for at least five years prior to the date on which the admission application was submitted by the qualified spouse. Current law requires bona fide domiciliary status in Virginia in these circumstances. This bill is identical to HB 576.

Law Advice: Change in Requirement

SB484 Pediatric oral health; essential health benefits.

Companion Bill: HB33

Chief Patron: Stuart

Summary:

Declares that a health carrier that makes available in the small group market or individual market outside an exchange a health benefit plan issued for policy or plan years beginning on or after January 1, 2015, that does not include the required minimum essential pediatric oral health benefits shall be deemed to satisfy the requirement that the plan provide such coverage if the health carrier has obtained reasonable assurance that such pediatric oral health benefits are provided to the purchaser of the plan. The health carrier shall be deemed to have obtained such reasonable assurance that such benefits are provided to the purchaser if (i) at least one qualified dental plan offers the required benefits and is available for purchase by the small group or individual purchaser; and (ii) the health carrier prominently discloses that the plan does not provide the required benefits. This bill is identical to HB 33.

Law Advice: FYI - No Direct Impact

SB490 Carbon monoxide alarms; required installation by landlord in rental dwelling units, cost to tenant.

Chief Patron: Norment

Summary:

Amends the Virginia Residential Landlord and Tenant Act to require a landlord to install carbon monoxide alarms upon the written request of a tenant. The bill also provides that the landlord may charge a reasonable fee for the installation of the alarms and that the installation must be in compliance with the Uniform Statewide Building Code.

Law Advice: FYI - No Direct Impact

SB492 Virginia Jobs Investment Program; changes in administration.

Companion Bill: HB932

Chief Patron: McWaters

Summary:

Changes the administration of the Virginia Jobs Investment Program from the Department of Small Business and Supplier Diversity to the Virginia Economic Development Partnership Authority. This bill is identical to HB 932.

Law Advice: FYI - No Direct Impact

SB502 Alcoholic beverage control; limited mixed-beverage restaurant licenses.

Chief Patron: Favola

Summary:

Allows limited mixed beverage restaurant licensees to sell and serve wine, beer, and champagne for on-premises consumption, provided the sale of such alcoholic beverages, together with the sale of dessert wines and liqueur-based drinks, does not exceed 10 percent of the total annual gross sales of all food and alcoholic beverages.

Law Advice: Change in Authority

SB514 Virginia Energy Plan; postpones due date for quadrennial updates.

Companion Bill: HB796

Chief Patron: Wagner

Summary:

Postpones the due date for quadrennial updates to the Virginia Energy Plan from July 1 to October 1. This bill is identical to HB 796.

Law Advice: FYI - No Direct Impact

SB519 Natural gas utilities; upstream supply infrastructure projects.

Companion Bill: HB949

Chief Patron: Wagner

Summary:

Authorizes a natural gas utility to recover eligible costs of eligible natural gas supply infrastructure projects. A plan for recovery of such costs may provide the utility with an option to receive the gas or sell the gas at market prices. The measure also (i) provides that the transportation of natural gas by pipeline, without providing service to end users within the territory, shall not be considered operating in the territory of another certificate holder; (ii) bars the State

Corporation Commission from approving the construction of a natural gas compressor station in an area without the locality's certification only if the area is zoned exclusively for residential use; and (iii) expands the definition of a strategic natural gas facility to include a natural gas transmission company that adds design day deliverability or designed send out of at least 100,000 dekaTherms per day in the aggregate. This bill is identical to HB 949.

Law Advice: FYI - No Direct Impact

SB526 Prescription Monitoring Program; disclosure method of information to recipient.

Companion Bill: HB923

Chief Patron: Carrico

Summary:

Specifies that when the Director, in his discretion, discloses information that is in the possession of the program concerning a recipient who is over the age of 18 to that recipient, the information shall be mailed to the street or mailing address indicated on the recipient request form. This bill is identical to HB 923.

Law Advice: FYI - No Direct Impact

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

Companion Bill: HB1235

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.

Law Advice: FYI - No Direct Impact

SB542 Health benefit exchanges; regulation of navigators.

Companion Bill: HB1043

Chief Patron: Martin

Summary:

Requires navigators, on and after September 1, 2014, to be registered with the State Corporation Commission, in addition to being certified by the federal Department of Health and Human Services (HHS). The measure prohibits navigators from receiving compensation for services when prohibited by federal law. The Commission shall register a navigator if his character and general fitness warrant belief that he will act fairly, in the public interest, and in accordance with law. Navigators are required to submit an application to the Commission in a form the Commission prescribes, pay an application fee, and provide a criminal record history. The Commission is authorized to examine and investigate those involved in navigator activities and requires them to report to the Commission (i) any action taken by HHS, (ii) any felony conviction, and (iii) any administrative action taken in another jurisdiction or by another governmental agency in the Commonwealth. The Commission may determine whether the federal standards and qualifications for navigators are sufficient to ensure that navigators can perform their required duties. If the Commission finds that they are not, it is required to make a good faith effort to work in cooperation with the U.S. Secretary of HHS to propose improvements. If the Commission determines the standards and qualifications remain

insufficient, the Commission is directed to adopt the necessary regulations to ensure that navigators can perform their required duties. This bill is identical to HB 1043.

Law Advice: FYI - No Direct Impact

SB562 College partnership laboratory schools; tuition.

Chief Patron: Locke

Summary:

Authorizes the school board of a school division that partners with a college partnership laboratory school to charge tuition to students enrolled in the college partnership laboratory school who do not reside within the partnering division.

Law Advice: FYI - No Direct Impact

SB565 Commercial driver's licenses, etc.; compliance with federal requirements.

Companion Bill: HB662

Chief Patron: Cosgrove

Summary:

Amends several sections relating to commercial driver's licenses to comply with new Federal Motor Carrier Safety Administration requirements relating to commercial motor vehicles and prohibited use of hand held mobile telephones in commercial vehicles. The bill also requires distracted driving to be included as a part of the driver's license knowledge examination to comply with MAP-21(Moving Ahead for Progress in the 21st Century, P.L. 112-141). In addition, the bill provides that DMV may continue to disclose personal information from crash reports, but only if otherwise authorized by law in order to comply with federal law.

Law Advice: FYI - No Direct Impact

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

Companion Bill: HB240

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.

Law Advice: New Requirement

SB575 Advance Health Care Directive Registry; submission of documents.

Chief Patron: Barker

Summary:

Provides that the legal representative or designee of an individual who has executed a health care power of attorney, advance directive, or declaration of an anatomical gift may submit the document to the Advance Health Care Directive Registry. Current law provides that only the person who executed the document may submit it.

Law Advice: FYI - No Direct Impact

SB611 Automated sales suppression devices; falsifying electronic records, penalties.

Companion Bill: HB829

Chief Patron: Saslaw

Summary:

Makes it a Class 1 misdemeanor to willfully utilize any device or software to falsify the electronic records of cash registers or manipulate transaction records that affect any state or local tax liability. The bill provides that any violation shall result in a civil penalty of \$20,000.

Law Advice: FYI - No Direct Impact

SB614 Waste kitchen grease; persons transporting to conspicuously display decal.

Companion Bill: HB795

Chief Patron: Vogel

Summary:

Requires certain persons transporting waste kitchen grease to affix a decal issued by the Commissioner on the outside of any vehicle used for such purpose. Current law requires the person to display his name and registration number on the vehicle in letters not less than three inches high. This bill is identical to HB 795.

Law Advice: Change in Requirement

SB615 Carbon dioxide; regulating emissions.

Companion Bill: HB1261

Chief Patron: Carrico

Summary:

Requires the Virginia Energy Plan to include, with regard to any regulations proposed or promulgated by the U.S. Environmental Protection Agency to reduce carbon dioxide emissions from fossil fuel-fired electric generating units under Section 37 111(d) of the Clean Air Act, an analysis of the costs to and benefits for energy producers and electric utility customers; the effect on energy markets and reliability; and the commercial availability of technology required to comply with such regulations. The measure postpones the due date for quadrennial updates to the Virginia Energy

Plan from July 1 to October 1. Interim updates on the Plan are required to be provided by October 1 of the third year of each administration. The measure also requires the Division of Energy of the Department of Mines, Minerals and Energy, in Plan updates starting in 2014, to set forth energy policy positions relevant to any potential regulations of the State Air Pollution Control Board to reduce carbon dioxide emissions from fossil fuel-fired electric generating units under Section 111(d) of the Clean Air Act. The Division is required to address policy options for establishing separate standards of performance for carbon dioxide emissions from existing fossil fuel-fired electric generating units to promote the Plan's overall goal of fuel diversity. The Plan is also required to (i) examine policy options for state regulatory action to adopt less stringent standards or longer compliance schedules than those provided for in applicable federal rules or guidelines and (ii) identify options, to the maximum extent permissible, for any federally required regulation of carbon dioxide emissions from existing fossil fuel-fired electric generating units. This bill is identical to HB 1261.

Law Advice: FYI - No Direct Impact

SB623 Research and development, qualified; increases amount of tax credit for expenses.

Companion Bill: HB1220

Chief Patron: McDougle

Summary:

Increases beginning with taxable year 2014 the amount of the credit allowed from 15 percent of the first \$167,000 to 15 percent of the first \$234,000 of Virginia qualified research and development expenses, and from 20 percent of the first \$175,000 to 20 percent of the first \$234,000 of Virginia qualified research and development expenses conducted in conjunction with a Virginia institution of higher education. The bill increases the maximum annual amount of tax credits that may be issued each fiscal year from \$5 million to \$6 million. The bill allows a pass-through entity to elect to receive and claim any credit at the pass-through entity level in lieu of the credit being allocated to the individual partners, members, or shareholders of the pass-through entity. Finally, the bill requires any taxpayer applying for the credit to provide information to the Department of Taxation relating to the number of full-time employees of the taxpayer; the taxpayer's industry sector; the area, discipline, or field of Virginia qualified research performed by the taxpayer; the taxpayer's total gross receipts for the relevant taxable year; and whether the qualified research was performed in conjunction with a Virginia institution of higher education. The bill also requires the Department to disclose the total aggregate amount of research and development tax credits claimed, upon request of the General Assembly or any committee of the General Assembly. This bill is identical to HB 1220.

Law Advice: FYI - No Direct Impact

SB639 Child care; Department of Social Services to plan for national background checks for providers.

Companion Bill: HB412

Chief Patron: Hanger

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 is identical to HB 412.

Law Advice: FYI - No Direct Impact

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

Companion Bill: HB1211

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.

Law Advice: Change in Requirement

SB650 Governor's Development Opportunity Fund; political contributions and gifts, prohibited conduct.

Companion Bill: HB1212

Chief Patron: Norment

Summary:

Provides that the Governor, his campaign committee, and any political action committee established on his behalf shall not knowingly solicit or accept a contribution, gift, or other item with a value greater than \$50 from persons and entities seeking loans or grants from the Fund. The bill also restricts such gifts and contributions from persons and entities seeking loans or grants from the Fund. The bill provides that any violation shall result in a civil penalty of \$500 or up to two times the amount of the contribution or gift, whichever is greater. This bill is identical to HB 1212.

Law Advice: FYI - No Direct Impact

SB653 Renewable energy property; grants for placing into service, Renewable Energy Property Grant Fund.

Chief Patron: Norment

Summary:

Establishes, beginning with fiscal year 2016, grants for placing into service renewable energy property. The grant would equal 35 percent of the costs paid or incurred to place the renewable energy property into service, not to exceed \$2.5 million for any individual piece of renewable energy property. The bill provides that grants in excess of 2.5 percent of the total program appropriation for the relevant fiscal year would be paid in three equal calendar year installments. No grant would be awarded for renewable energy property that generated electricity within the 12 months preceding the date of the grant application or renewable energy property paid for by utility ratepayer funds. The bill defines renewable energy as energy derived from sunlight, wind, falling water, biomass, waste, landfill gas, municipal solid waste, wave motion, tides, or geothermal power, but not including energy derived from coal, oil, natural gas, or nuclear power. The Department of Mines, Minerals and Energy would administer the grant program. The Department would be authorized, subject to appropriation, to award up to \$10 million in renewable energy property grants for fiscal year 2016. The act contains a second enactment that requires the act to be reenacted in the 2015 General Assembly in order to become effective.

Law Advice: FYI - No Direct Impact

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.

Law Advice: FYI - No Direct Impact

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.

Law Advice: Monitor and Track

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.

Law Advice: FYI - No Direct Impact

Includes UVa Board appointments made by Governor McDonnell effective July 1, 2013.

SJ75 Recycled material; Manufacturing Development Commission to study benefits in manufacturing process.

Companion Bill: HJ28

Chief Patron: Wagner

Summary:

Directs the Manufacturing Development Commission to examine the economic and environmental benefits of the use of recycled material in the manufacturing process in Virginia. This resolution is identical to HJR 28.

Law Advice: FYI - No Direct Impact

SJ102 Move Over Awareness Month; designating as June 2014, and each succeeding year thereafter.

Chief Patron: Carrico

Summary:

Designates June, in 2014 and in each succeeding year, as Move Over Awareness Month in Virginia.

Law Advice: FYI - No Direct Impact

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

Companion Bill: HJ313

Chief Patron: Alexander

Summary:

Celebrating the life of Joshua P. Darden, Jr.

Law Advice: FYI - No Direct Impact

SJ173 Commending the Foundation of the State Arboretum of Virginia.

Chief Patron: Vogel

Summary:

Commending the Foundation of the State Arboretum of Virginia.

Law Advice: FYI - No Direct Impact

SR1 Commending the 2014 inductees into the Virginia Sports Hall of Fame.

Companion Bill: HR12

Chief Patron: Lucas

Summary:

Commending the 2014 inductees into the Virginia Sports Hall of Fame.

Law Advice: FYI - No Direct Impact