

Legislative Report
University of Virginia -- Office of State Governmental Relations
Monday, March 7, 2016

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HB29 [**Budget Bill.**](#)

Companion Bill: SB29

Chief Patron: Jones

Summary:

Amending Chapter 665 of the 2015 Acts of Assembly.

Status:

03/02/16 House: House acceded to request

03/02/16 House: Conferees appointed by House

03/02/16 House: Delegates: Jones, Cox, Landes, O'Bannon, Greason, Torian

03/02/16 Senate: Conferees appointed by Senate

03/02/16 Senate: Senators: Norment, Hanger, Howell, Saslaw, Newman, Ruff, Wagner

HB30 [**Budget Bill.**](#)

Companion Bill: SB30

Chief Patron: Jones

Summary:

Appropriations of the Budget submitted by the Governor of Virginia in accordance with the provisions of § 2.2-1509, Code of Virginia, and to provide a portion of revenues for the two years ending respectively on the thirtieth day of June, 2017, and the thirtieth day of June, 2018.

Status:

03/02/16 House: House acceded to request

03/02/16 House: Conferees appointed by House

03/02/16 House: Delegates: Jones, Cox, Landes, O'Bannon, Greason, Torian

03/02/16 Senate: Conferees appointed by Senate

03/02/16 Senate: Senators: Norment, Hanger, Howell, Saslaw, Newman, Ruff, Wagner

HB77 [Sex or gender discrimination; applicable federal law.](#)

Chief Patron: Marshall, R.G.

Summary:

Provides that for the purposes of the Virginia Human Rights Act, an "unlawful discriminatory practice" shall not include conduct that violates any federal administrative policy, rule, or regulation adopted on or after January 1, 2012.

Status:

12/07/15 House: Referred to Committee on General Laws

01/29/16 House: Impact statement from DPB (HB77)

02/03/16 House: Assigned GL sub: Subcommittee #4

02/04/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in General Laws

HB79 [Concealed handguns; possession by full-time faculty members at higher educational institutions.](#)

Chief Patron: Marshall, R.G.

Summary:

Allows full-time faculty members of public institutions of higher education who possess a valid Virginia concealed handgun permit to carry a concealed handgun on campus.

Status:

12/07/15 House: Prefiled and ordered printed; offered 01/13/16 16100775D

12/07/15 House: Referred to Committee on Education

01/18/16 House: Impact statement from DPB (HB79)

02/16/16 House: Left in Education

HB132 [Risk management plan; coverage for injury or death on state property, concealed handgun prohibition.](#)

Chief Patron: Marshall, R.G.

Summary:

Provides that the risk management plan established by the Division of Risk Management shall include coverage for any claim made by or on behalf of a person possessing a valid concealed handgun permit who is injured or killed upon any buildings, grounds, or properties owned or leased by the Commonwealth as a result of the criminal act of a third party if the carrying of a concealed handgun on such buildings, grounds, or properties was prohibited by regulation. The bill also provides that, in addition to providing for the actual damages arising from the person's injury or death, the coverage shall include an additional amount of \$350,000.

Status:

12/18/15 House: Referred to Committee on General Laws

01/18/16 House: Assigned GL sub: Subcommittee #4

01/26/16 House: Impact statement from DPB (HB132)

02/11/16 House: Subcommittee failed to recommend reporting (3-Y 3-N)

02/16/16 House: Left in General Laws

HB133 [Risk management plan; coverage for injury/death on college property, concealed handgun prohibition.](#)

Chief Patron: Marshall, R.G.

Summary:

Provides that the risk management plan established by the Division of Risk Management shall include coverage for any claim made by or on behalf of a person possessing a valid concealed handgun permit who is injured or killed upon any buildings, grounds, or properties owned or leased by a public institution of higher education as a result of the criminal act of a third party if the carrying of a concealed handgun on such buildings, grounds, or properties was prohibited by regulation. The bill also provides that, in addition to providing for the actual damages arising from the person's injury or death, the coverage shall include an additional amount of \$350,000.

Status:

12/18/15 House: Prefiled and ordered printed; offered 01/13/16 16103206D

12/18/15 House: Referred to Committee on General Laws

01/18/16 House: Assigned GL sub: Subcommittee #4

01/26/16 House: Impact statement from DPB (HB133)

02/16/16 House: Left in General Laws

HB193 [Certificates of public need; creates three-phase process to sunset requirements for medical care.](#)

Chief Patron: O'Bannon

Summary:

Creates a two-phase process to sunset certificate of public need requirements for many categories of medical care facilities and projects, with the requirement for a certificate of public need (i) for ambulatory and outpatient surgery centers other than rural ambulatory and outpatient surgery centers and for capital expenditures at medical care facilities other than rural medical care facilities repealed in effective July 1, 2016 and (ii) for all medical care facilities other than nursing homes, rehabilitation hospitals and beds, organ or tissue transplant services, certain open heart surgery services, and rural medical care facilities repealed effective January 1, 2017. The bill also creates a new permitting process for categories of facilities and projects exempted from the certificate of public need process that requires the Commissioner of Health to issue a permit but requires the Commissioner to condition a permit (a) on the agreement of the applicant to provide a specified level of care at a reduced rate to indigents, accept patients requiring specialized care, or facilitate the development and operation of primary medical care services in designated medically underserved areas of the applicant's service area and (b) on compliance of the applicant with quality of care standards. The bill also eliminates regional health planning agencies and makes numerous changes to the COPN process for facilities and projects that will still be subject to the requirement of a certificate.

Status:

02/15/16 House: VOTE: PASSAGE (52-Y 46-N 1-A)

02/16/16 Senate: Constitutional reading dispensed

02/16/16 Senate: Referred to Committee on Education and Health

02/17/16 House: Impact statement from VDH (HB193H1)

03/03/16 Senate: Continued to 2017 in Education and Health (15-Y 0-N)

HB202 [Anatomical gifts; search and rescue dog training.](#)

Chief Patron: Knight

Summary:

Requires the Department of Health to convene a work group of stakeholders, which shall include representatives of the Department of Health, the Department of Emergency Management, the State Anatomical Program, procurement organizations, and local search and rescue teams and organizations, to (i) identify and evaluate options for using human remains donated to search and rescue teams and organizations as anatomical gifts for the purpose of training dogs to find human remains during search

and rescue operations and (ii) establish policies and procedures to govern the process of using anatomical gifts for such purpose. The work group shall report its activities, findings, and recommendations to the General Assembly by December 1, 2016.

Status:

02/25/16 Senate: Signed by President

02/25/16 House: Enrolled Bill communicated to Governor on 2/25/16

02/25/16 Governor: Governor's Action Deadline Midnight, March 3, 2016

02/26/16 House: Impact statement from DPB (HB202ER)

03/01/16 Governor: Approved by Governor-Chapter 73 (effective 7/1/16)

HB209 [Educational Institutions; revising and recodifying laws.](#)

Chief Patron: LeMunyon

Summary:

Creates proposed Title 23.1 (Institutions of Higher Education; Other Educational and Cultural Institutions) as a revision of existing Title 23 (Educational Institutions). Proposed Title 23.1 consists of 32 chapters divided into five subtitles: Subtitle I (General Provisions); Subtitle II (Students and Campus); Subtitle III (Management and Financing); Subtitle IV (Public Institutions of Higher Education); and Subtitle V (Other Educational and Cultural Institutions). The bill organizes the laws in a more logical manner, removes obsolete and duplicative provisions, and improves the structure and clarity of statutes pertaining to institutions of higher education and other educational and cultural institutions in the Commonwealth. The bill is a recommendation of the Virginia Code Commission and has a delayed effective date of October 1, 2016.

Status:

02/16/16 House: Impact statement from DPB (HB209E)

03/03/16 Senate: Reported from Education and Health (12-Y 0-N)

03/04/16 Senate: Constitutional reading dispensed (38-Y 0-N)

03/04/16 Senate: Read third time

03/04/16 Senate: Passed Senate (39-Y 0-N)

HB229 [SCHEV; uniform bachelor's degree credit hours and lower division curriculum.](#)

Chief Patron: Bell, Richard P.

Summary:

Requires the State Council of Higher Education (the Council) to set a uniform number of credit hours required to earn any bachelor's degree at any public institution of higher education. The bill also requires the Council to develop a uniform lower division curriculum consisting of no more than 60 credit hours that is uniform across all public institutions of higher education and that specifies the lower division courses and the number of such courses that satisfy the requirements, prerequisites, and electives for each program major, including the lower division courses that satisfy general education requirements. The bill requires the Council to determine specific criteria for courses in the lower division curriculum and ensure that courses that meet such criteria are easily identifiable to students. The bill specifies that any student who completes the uniform lower division curriculum at a two-year public institution of higher education shall earn an associate degree and shall be permitted to transfer all such credit hours earned to any public institution of higher education to which the student has been admitted and apply such credit hours toward the degree requirements at such institution.

Status:

12/29/15 House: Prefiled and ordered printed; offered 01/13/16 16102434D

12/29/15 House: Referred to Committee on Education

01/15/16 House: Assigned Education sub:

02/02/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in Education

HB336 [Virginia Freedom of Information Act; public access to library records of minors.](#)

Chief Patron: Pogge

Summary:

Protects from mandatory disclosure library records that can be used to identify any library patron under the age of 18 years. The bill provides that access shall not be denied to the parent, including a noncustodial parent, or guardian of such person, unless the parent's parental rights have been terminated or a court of competent jurisdiction has restricted or denied such access. For records of persons under the age of 18 years who are emancipated, the right of access may be asserted by the subject thereof. Any parent or emancipated person under the age of 18 years who is the subject of the record may waive, in writing, the protections afforded by the bill. If the protections are so waived, the public body shall open such records for inspection and copying.

Status:

01/05/16 House: Referred to Committee on General Laws

01/11/16 House: Impact statement from DPB (HB336)

01/18/16 House: Assigned GL sub: Subcommittee #2

02/11/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in General Laws

HB350 [Certificate of public need; changes to Medical Care Facilities Certificate of Public Need Program.](#)

Chief Patron: Byron

Summary:

Makes changes to the Medical Care Facilities Certificate of Public Need Program. The bill removes various behavioral health facilities from the list of medical care facilities and projects subject to the requirement of a certificate of public need and makes various changes to procedures governing the certificate of public need process including (i) defining "charity care" for purposes of the certificate of public need program; (ii) establishing an expedited 45-day review process for applicants for projects determined by the Department of Health (the Department) to be uncontested and to present minimal health planning impacts and for which the applicant agrees to comply with quality assurance requirements established by the Board of Health (the Board) and consents to provide charity care in an amount specified by the Board; (iii) establishing an expedited 120-day review process for applicants for projects identified by the Department to be uncontested and to present limited health planning impacts that require an intermediate level of scrutiny and for which the applicant agrees to comply with quality assurance requirements established by the Board and consents to provide charity care in an amount specified by the Board; (iv) clarifies the content of a completed application for a certificate; (v) eliminates the requirement for a public hearing on applicants for certificates; (vi) reduces the timeline from 80 calendar days to four days for a person to be made party to the case for good cause following completion of the review and submission of recommendations related to an application; (vii) requires the Department to establish a website to make information about the certificate of public need program, including information about letters of intent received by the Department, available to the public; and (viii) establishes a permit process for projects that are no longer subject to the requirement for a certificate of public need which includes provisions for charity care requirements and quality assurance. The bill also (a) directs the Secretary of Health and Human Resources to review requirements governing imposition and satisfaction of charity care requirements for certificates of public need, including provisions for defining charity care and calculating the amount and value of charity care required and provided, develop recommendations for standardizing and enforcing such requirements, and report his recommendations to the Governor and the General Assembly by December 1, 2016, and (b) requires the Department to work cooperatively with Virginia Health Information to develop a process for the collection of utilization data for recipients of certificates of public need describing specific types of equipment utilized.

Status:

03/03/16 Senate: Reported from Education and Health with substitute (13-Y 2-N)

03/03/16 Senate: Committee substitute printed 16106036D-S1

03/04/16 Senate: Constitutional reading dispensed (38-Y 0-N)

03/04/16 Senate: Read third time

03/04/16 Senate: Passed by for the day

HB382 [Firearms; control by state agencies, rights of employees.](#)

Chief Patron: Fowler

Summary:

Prohibits state agencies within the executive branch other than the Virginia Port Authority from adopting any regulation or workplace rule preventing officers or employees of such agencies from storing a lawfully possessed firearm and ammunition in a locked private motor vehicle at their workplace. The bill also provides that any such regulation or rule adopted prior to July 1, 2016, is invalid.

Status:

03/02/16 House: Senate amendment agreed to by House (65-Y 34-N)

03/02/16 House: VOTE: ADOPTION (65-Y 34-N)

03/03/16 House: Enrolled

03/03/16 House: Bill text as passed House and Senate (HB382ER)

03/03/16 House: Impact statement from DPB (HB382ER)

HB397 [Discrimination; specification of certain terms relating to sex or gender.](#)

Chief Patron: LaRock

Summary:

Specifies that the terms "because of gender," "because of sex," "on the basis of gender," and "on the basis of sex" and terms of similar import when used in reference to discrimination in the Code and acts of the General Assembly mean because of or on the basis of the biologic character or quality that distinguishes an individual as either male or female as determined at birth by analysis of the individual's gonadal, internal and external morphologic, chromosomal, and hormonal characteristics. The bill provides that, consistent with Article I, Section 11 of the Constitution of Virginia, no local ordinance prohibiting discrimination on the basis of sex shall consider the mere separation of individuals by sex to be discrimination. The bill permits local school boards to enact policies prohibiting discrimination in education on the basis of race, color, religion, sex, pregnancy, childbirth or related medical conditions,

national origin, age, marital status, or disability, provided that, consistent with Article I, Section 11 of the Constitution of Virginia, no such policy shall consider the mere separation of individuals by sex to be discrimination.

Status:

01/06/16 House: Referred to Committee on General Laws

01/21/16 House: Impact statement from DOE/COO (HB397)

02/03/16 House: Assigned GL sub: Subcommittee #4

02/04/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in General Laws

HB400 [Virginia Student Loan Refinancing Authority established.](#)

Chief Patron: Simon

Summary:

Establishes the Virginia Student Loan Refinancing Authority, to be governed by a 10-member board, for the purpose of developing and implementing a program by which each individual who incurred qualified education loan debt as a Virginia student at an institution of higher education in the Commonwealth and who is eligible, on the basis of criteria established by the Authority that are substantially similar to criteria used by private lenders in the Commonwealth to evaluate student eligibility for an unsecured personal loan at market rates, may receive a loan from the Authority to refinance all or part of his qualified education loans, as that term is defined in relevant federal law.

Status:

01/06/16 House: Prefiled and ordered printed; offered 01/13/16 16100304D

01/06/16 House: Referred to Committee on Commerce and Labor

01/21/16 House: Assigned C & L sub: Subcommittee #2

01/28/16 House: Subcommittee recommends continuing to 2017

02/02/16 House: Continued to 2017 in Commerce and Labor

HB432 [Virginia Freedom of Information Act; public access to certain criminal investigative files.](#)

Chief Patron: Villanueva

Summary:

Limits the application of the exemption for criminal investigative files to active criminal investigative files. As a result, closed or inactive criminal investigative files would be subject to mandatory disclosure, if requested.

Status:

01/07/16 House: Referred to Committee on General Laws

01/18/16 House: Assigned GL sub: Subcommittee #2

01/19/16 House: Impact statement from DPB (HB432)

02/11/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in General Laws

HB494 [Refugees, certain; assisting federal government with resettling.](#)

Chief Patron: Marshall, R.G.

Summary:

Provides that no agency of the Commonwealth, political subdivision of the Commonwealth, officer or employee of either acting in his official capacity, or member of the Virginia National Guard or Virginia Defense Force, when such member is serving in the Virginia National Guard or the Virginia Defense Force on official state duty, shall knowingly aid, participate with, or otherwise provide any assistance to (i) any agency, department, or other instrumentality of the federal government, or any employee or officer thereof, with the resettlement in the Commonwealth of any refugee from Iraq or Syria or (ii) any such refugee who has been resettled in the Commonwealth on or after January 1, 2016. The bill allows such aid, participation, or assistance if (a) the refugee has been subjected to thorough background investigations sufficient to determine whether the refugee is a threat to the security of the United States conducted by the Secretary of the U.S. Department of Homeland Security (DHS) and the Director of the Federal Bureau of Investigation (FBI) and (b) the Secretary of the DHS, with the concurrence of the Director of the FBI and the Director of National Intelligence, has certified that the refugee is not a threat to the security of the United States.

Status:

02/11/16 House: Incorporates HB852

02/11/16 House: Referred to Committee on Appropriations

02/12/16 House: Assigned App. sub: Health & Human Resources

02/12/16 House: Subcommittee recommends laying on the table

02/18/16 House: Left in Appropriations

HB515 [Higher educational institutions; institutional 6-year plan, economic development, report.](#)

Chief Patron: Landes

Summary:

Requires each public institution of higher education to include in its institutional six-year plan a report of the institution's active contributions to efforts to stimulate the economic development of the Commonwealth, the area in which the institution is located, and, for those institutions subject to a management agreement, the areas that lag the Commonwealth in terms of income, employment, and other factors.

Status:

02/25/16 Senate: Signed by President

02/25/16 House: Enrolled Bill communicated to Governor on 2/25/16

02/25/16 Governor: Governor's Action Deadline Midnight, March 3, 2016

02/29/16 House: Impact statement from DPB (HB515ER)

03/01/16 Governor: Approved by Governor-Chapter 149 (effective 7/1/16)

HB523 [Higher educational institutions; student mental health policies.](#)

Companion Bill: SB425

Chief Patron: LeMunyon

Summary:

Specifies that the contact person designated by a memorandum of understanding between a public four-year institution of higher education and a mental health care provider to be notified when a student is involuntarily committed, or when a student is discharged from a facility and consents to such notification, shall be notified only to the extent allowable under state and federal privacy laws.

Status:

03/01/16 House: Placed on Calendar

03/02/16 House: Senate amendment agreed to by House (99-Y 0-N)

03/02/16 House: VOTE: ADOPTION (99-Y 0-N)

03/03/16 House: Enrolled

HB568 [Virginia Guaranteed Assistance Program; changes to grants.](#)

Companion Bill: SB440

Chief Patron: Cox

Summary:

Makes several changes to the Virginia Guaranteed Assistance Program (Program), including adding requirements that (i) each student eligible for the Program receive a grant from the institution's appropriations for undergraduate student financial assistance before grants are awarded to students with equivalent remaining need, (ii) each eligible student receive a grant in an amount greater than other grants awarded to students with equivalent remaining need, (iii) each eligible student receive a Program grant in an amount greater than the grant of each eligible student with equivalent remaining need in the next-lowest class level, and (iv) each Program grant be determined by a proportionate award schedule adopted by each institution and vary according to each student's remaining need and the total of tuition, fees, and other necessary charges, including books.

Status:

03/03/16 Senate: Engrossed by Senate - committee substitute HB568S1

03/03/16 Senate: Passed Senate with substitute (39-Y 0-N)

03/03/16 Senate: Reconsideration of Senate passage agreed to by Senate (36-Y 0-N)

03/03/16 Senate: Passed Senate with substitute (40-Y 0-N)

03/04/16 House: Placed on Calendar

HB593 [General Services, Department of; regulation of firearms.](#)

Chief Patron: Marshall, R.G.

Summary:

Provides that, unless expressly authorized by statute, the Department of General Services shall not adopt or enforce any rule, regulation, or policy precluding the possession of a concealed handgun by a person with a valid concealed handgun permit. The bill likewise provides that no department, agency, or institution of the Commonwealth occupying property in the charge of the Department's Division of Engineering and Buildings shall adopt any similar prohibition. Finally, the bill invalidates the provisions of Executive Order 50, which prohibits the carrying of firearms in buildings occupied by executive branch agencies, and any regulations adopted to implement Executive Order 50. This bill was incorporated into [HB 1096](#).

Status:

01/11/16 House: Referred to Committee on Militia, Police and Public Safety

01/19/16 House: Assigned MPPS sub: #1

01/21/16 House: Subcommittee recommends incorporating (HB1096-Webert)

01/26/16 House: Impact statement from DPB (HB593)

01/29/16 House: Incorporated by Militia, Police and Public Safety (HB1096-Webert)

HB638 [Higher educational institutions; public-private partnerships, wind and solar power.](#)

Chief Patron: Bell, John J.

Summary:

Permits each public institution of higher education to enter into a public-private partnership with any private entity whereby such entity is permitted to use at no cost property owned or controlled by such public institution of higher education for the generation of wind or solar power in exchange for offering educational immersion programs for high school students and students at public institutions of higher education that provide hands-on education and training in the construction, operations, and maintenance of its wind or solar power generators. The bill requires any energy produced by such solar or wind power generators to be (i) used to provide power for the partner public institution of higher education or (ii) introduced to applicable power grids and sold at market rates, with profits split as agreed upon by the private entity and the partner public institution of higher education. The bill requires any such profits gained by the partner public institution of higher education to be used to further research, expand clean energy education programs, or lower student tuition rates.

Status:

01/11/16 House: Referred to Committee on Education

01/15/16 House: Assigned Education sub:

01/26/16 House: Subcommittee recommends laying on the table

01/29/16 House: Impact statement from DPB (HB638)

02/16/16 House: Left in Education

HB655 [Sexual assault; physical evidence recovery kits collection by Department of State Police, etc.](#)

Chief Patron: Filler-Corn

Summary:

Requires the Department of State Police, local law-enforcement agencies, and campus police departments to collect evidence obtained in sexual assault investigations, including physical evidence recovery kits from sexual assault investigations where the victim elects at the time of examination not to report the assault to law enforcement. The bill provides that if the victim elects at the time of examination not to report the assault to law enforcement, the law-enforcement agency shall send the kit to the Division of Consolidated Laboratory Services of the Department of General Services, which shall retain the kit for a minimum of five years from the date of receipt or a minimum of five years after the victim reaches the age of majority, whichever is longer. If the victim elects at the time of examination to report the sexual assault to law enforcement, the kit shall be submitted by the law-enforcement agency to the Department of Forensic Science for analysis, then returned to the submitting law-enforcement agency for storage for the same time frame.

Status:

01/11/16 House: Prefiled and ordered printed; offered 01/13/16 16103683D

01/11/16 House: Referred to Committee for Courts of Justice

01/14/16 House: Assigned Courts sub:

02/08/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in Courts of Justice

HB662 [Higher Education for Virginia, State Council of; open educational resources.](#)

Chief Patron: Filler-Corn

Summary:

Requires the State Council of Higher Education to administer an Open Educational Resources Fund and Program to provide grants on a competitive basis to public institutions of higher education to encourage such institutions to use low-cost or no-cost open educational resources that are openly licensed and shared with the public through an existing or new open educational resources repository and, no later than June 30, 2017, in coordination with each public institution of higher education, identify open educational resources that have undergone a peer-review process and can be made available to each public institution of higher education and be adopted at each such institution as the primary instructional material for at least 15 high-enrollment courses in general education disciplines for which the course credit is transferrable among all public institutions of higher education. The bill requires each public institution of higher education awarded grants under the program, after an appropriate pilot period of successful implementation, to prominently designate grant-funded courses whose course materials consist exclusively of open educational resources or other low-cost or no-cost course materials (i) in the published course descriptions on the institution's website or otherwise provided to students at the time of

course registration and on the campus bookstore course materials list that is provided for the course or (ii) through other methods or processes deemed appropriate by the institution and approved by the Council. The bill defines "open educational resources" as teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that permits their free use and repurposing by others and that conform to the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and to any additional accessibility standards established by the Council. The bill contains an emergency clause.

Status:

01/11/16 House: Referred to Committee on Education

01/15/16 House: Assigned Education sub:

02/01/16 House: Impact statement from DPB (HB662)

02/02/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in Education

HB698 [Virginia Freedom of Information Act; right to speak at open meetings.](#)

Chief Patron: Kory

Summary:

Requires that every public body afford an opportunity for public comment during any open meeting. A public body may adopt reasonable rules governing the public comment portion of the meeting, including imposing reasonable restrictions on time, place, and manner. The bill contains technical amendments.

Status:

01/11/16 House: Referred to Committee on General Laws

01/18/16 House: Assigned GL sub: Subcommittee #2

01/28/16 House: Impact statement from DPB (HB698)

01/28/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in General Laws

HB758 [Auditor of Public Accounts; Commonwealth Data Point, incorporation of graphs, charts, etc.](#)

Chief Patron: Freitas

Summary:

Requires the Auditor of Public Accounts (the Auditor) to incorporate in the Commonwealth Data Point the following enhancements: (i) graphs, charts, or other visual displays of aggregated data showing (a) current state spending by expense category, (b) year-to-year state spending, and (c) other data deemed appropriate by the Auditor and (ii) frequently asked questions and their responses. The bill also requires the Commonwealth Data Point to contain a listing of the position description and salary of each full-time employee, organized by agency.

Status:

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16101249D

01/12/16 House: Referred to Committee on Appropriations

01/15/16 House: Assigned App. sub:

02/01/16 House: Impact statement from DPB (HB758)

02/18/16 House: Left in Appropriations

HB760 [Auditor of Public Accounts; Commonwealth Data Point.](#)

Chief Patron: Freitas

Summary:

Requires the Auditor of Public Accounts (the Auditor) to incorporate in the Commonwealth Data Point the following enhancements: (i) graphs, charts, or other visual displays of aggregated data showing (a) current state spending by expense category, (b) year-to-year state spending, and (c) other data deemed appropriate by the Auditor, including display of available line item expenditures, and (ii) frequently asked questions and their responses. The bill also requires the Commonwealth Data Point to contain a listing of the position description and salary of each full-time state employee, organized by agency.

Status:

03/03/16 Senate: Reading of amendment waived

03/03/16 Senate: Committee amendment agreed to

03/03/16 Senate: Engrossed by Senate as amended

03/03/16 Senate: Passed Senate with amendment (40-Y 0-N)

03/04/16 House: Placed on Calendar

HB761 [Concealed handguns; possession by females on campus.](#)

Chief Patron: Freitas

Summary:

Prohibits public institutions of higher education from adopting or enforcing any rules prohibiting a female who possess a valid Virginia concealed handgun permit from carrying a concealed handgun on campus.

Status:

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16103716D

01/12/16 House: Referred to Committee for Courts of Justice

02/04/16 House: Assigned Courts sub: Constitutional Law

02/08/16 House: Subcommittee recommends striking from docket

02/10/16 House: Stricken from docket by Courts of Justice

HB773 [Government Nondiscrimination Act; created.](#)

Chief Patron: Gilbert

Summary:

Creates the Government Nondiscrimination Act (the Act), which prohibits a government entity from taking any discriminatory action against a person on the basis that such person believes, speaks, or acts in accordance with a sincerely held religious belief that marriage is or should be recognized as the union of one man and one woman and that the terms "man" and "woman" refer to an individual's immutable biological sex as objectively determined by anatomy and genetics of the individual at the time of birth. For purposes of the Act, discriminatory actions include actions that adversely affect the tax treatment of a person or that withhold or otherwise make unavailable any (i) grant, contract, subcontract, cooperative agreement, guarantee, loan, scholarship, license, certification, accreditation, or employment; (ii) entitlement or benefit under a benefit program; or (iii) entitlement to utilize state property. The Act also provides that a person shall be considered to be validly accredited, licensed, or certified for any purpose under state law if such person would otherwise have been accredited, licensed, or certified but for a determination based upon such person's sincerely held religious belief or moral conviction.

Status:

02/25/16 Senate: Engrossed by Senate - committee substitute HB773S1

02/25/16 Senate: Passed Senate with substitute (21-Y 19-N)

02/26/16 House: Placed on Calendar

02/29/16 House: Passed by until Thursday, March 3, 2016

HB800 [Virginia Freedom of Information Act; audio recording of closed meetings required.](#)

Chief Patron: Morris

Summary:

Provides that a public body shall (i) make an audio recording of the entirety of every meeting that is closed to the public; (ii) use a means of recording that fully captures and can clearly reproduce all statements made during a closed meeting; and (iii) preserve the recording for a period of no less than two years. The bill provides that a recording made shall not be subject to the disclosure provisions of FOIA, but its production may be compelled, and the recording used as evidence, in a proceeding to enforce the provisions of FOIA.

Status:

02/09/16 House: Reported from General Laws with substitute (11-Y 10-N)

02/09/16 House: Referred to Committee on Appropriations

02/10/16 House: Assigned App. sub: General Government & Capital Outlay

02/11/16 House: Impact statement from DPB (HB800H1)

02/18/16 House: Left in Appropriations

HB803 [Higher educational institutions; recognized student organizations.](#)

Chief Patron: Morris

Summary:

Requires the State Council of Higher Education for Virginia to develop a procedure for disciplinary proceedings involving students and officially recognized student organizations at public institutions of higher education that in most cases affords students and officially recognized student organizations alleged to have violated a public institution of higher education's policies for the conduct of students the right to (i) be represented by an advocate for the duration of any disciplinary proceeding, appeal, or other institutional proceeding regarding the alleged violation and (ii) appeal adverse findings. The bill sets forth other evidentiary rules and procedures relating to such proceedings.

Status:

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16102278D

01/12/16 House: Referred to Committee on Education

01/19/16 House: Assigned Education sub: Higher Education

01/26/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in Education

HB817 [Virginia Freedom of Information Act; record exclusions, rule of redaction, etc.](#)

Companion Bill: SB494

Chief Patron: LeMunyon

Summary:

Reverses the holding of the Virginia Supreme Court in the case of *Department of Corrections v. Surovell*, by setting out the general rule of redaction, which provides that no provision of FOIA is intended, nor shall it be construed or applied, to authorize a public body to withhold a public record in its entirety on the grounds that some portion of the public record is excluded from disclosure by FOIA or by any other provision of law. Further, the bill states that a public record may be withheld from disclosure in its entirety only to the extent that an exclusion from disclosure under FOIA or other provision of law applies to the entire content of the public record. Otherwise, only those portions of the public record containing information subject to an exclusion under FOIA or other provision of law may be withheld, and all portions of the public record that are not so excluded shall be disclosed. The bill defines the term "information" and provides that it is declaratory of the law as is it existed prior to the September 17, 2015 decision of the Supreme Court of Virginia in the case of the Department of Corrections v. Surovell. The bill also reverses that part of the holding of the Virginia Supreme Court in the case of *Department of Corrections v. Surovell* by providing that in a FOIA enforcement action, no court shall be required to accord any weight to the determination of a public body as to whether an exclusion applies. The bill contains technical amendments.

Status:

03/03/16 Senate: Passed by for the day

03/04/16 Senate: Read third time

03/04/16 Senate: Passed Senate (39-Y 0-N)

03/04/16 Senate: Reconsideration of Senate passage agreed to by Senate (39-Y 0-N)

03/04/16 Senate: Passed Senate (39-Y 0-N)

HB823 [Governmental agencies; contracting for items from another governmental commercial activities list.](#)

Chief Patron: LeMunyon

Summary:

Provides that any state governmental agency that purchases goods or services from another governmental agency, including those found on the commercial activities list, shall place the purchase orders for such goods and services on the Department of General Services' central electronic procurement system. Institutions of higher education authorized in accordance with the Restructured Higher Education Financial and Administrative Operations Act (§ 23.38.88 et seq.) shall provide government-to-government purchase order data through interface or integration with the Department of General Services' central electronic procurement system. The Department of General Services shall publish on its central electronic procurement system website a government-to-government transaction transparency report.

Status:

02/17/16 Senate: Referred to Committee on General Laws and Technology

02/29/16 Senate: Reported from General Laws and Technology (11-Y 1-N)

03/02/16 Senate: Constitutional reading dispensed (40-Y 0-N)

03/03/16 Senate: Read third time

03/03/16 Senate: Passed Senate (40-Y 0-N)

HB834 [Virginia Growth and Opportunity Board and Fund; established, report.](#)

Companion Bill: SB449

Chief Patron: Cox

Summary:

Establishes the Virginia Growth and Opportunity Board to administer grants from the Virginia Growth and Opportunity Fund for regional economic and workforce development projects. The bill provides that regional councils will be established across the Commonwealth, consisting of representatives of government and the business and education communities, and councils may submit applications for collaborative projects in their region that enhance private-sector growth, competitiveness, and workforce development. A portion of the grant funds will be awarded on a population basis and a portion on a competitive basis.

Status:

03/03/16 Senate: Reading of substitute waived

03/03/16 Senate: Committee substitute agreed to 16106000D-S1

03/03/16 Senate: Engrossed by Senate - committee substitute HB834S1

03/03/16 Senate: Passed Senate with substitute (35-Y 5-N)

03/04/16 House: Placed on Calendar

HB846 [Virginia Collaborative Economic Development Act; established, sunset provision.](#)

Companion Bill: SB459

Chief Patron: Hugo

Summary:

Creates the Virginia Collaborative Economic Development Performance Grant Fund. Two or more localities that collaborate and adopt a collaborative economic development plan will be eligible for grants from the fund over a period of six years if the collaboration results in the location or expansion of a company in the Commonwealth that (i) creates at least 200 new jobs with average salaries at least 25 percent higher than the average wage and (ii) makes a capital investment of at least \$25 million. The company must maintain the job creation and investment for a period of three years before being eligible for the first grant payment. The total amount of the grant applied for shall not exceed the total investment of the localities in executing the collaborative economic development plan, and each annual installment of the grant may not exceed 50 percent of the total annual amount of personal income tax withheld by the certified company from the newly created jobs. The Fund will be administered by a policy board created by legislation adopted by the 2016 Session of the General Assembly with a legislatively stated purpose of promoting collaborative regional economic development and workforce development opportunities. If no such board is created, the Virginia Economic Development Partnership will administer the Fund.

Status:

02/09/16 House: Read third time and passed House (93-Y 5-N 1-A)

02/09/16 House: VOTE: PASSAGE (93-Y 5-N 1-A)

02/10/16 Senate: Constitutional reading dispensed

02/10/16 Senate: Referred to Committee on Finance

02/16/16 House: Impact statement from DPB (HB846H1)

HB847 [Higher educational institutions; tuition assistance for non-Virginia students.](#)

Chief Patron: Hugo

Summary:

Prohibits each public institution of higher education from using any proceeds from state debt or revenues generated from state taxes and fees that are appropriated to such institution to offer any form of tuition assistance to any non-Virginia student and requires each public institution of higher education to separately account for such proceeds and revenues and provide a report of expenditures from such account to the House Committee on Appropriations and the Senate Committee on Finance upon the request of such committees.

Status:

01/12/16 House: Referred to Committee on Appropriations

01/15/16 House: Assigned App. sub:

02/01/16 House: Impact statement from DPB (HB847)

02/10/16 House: Subcommittee recommends laying on the table

02/18/16 House: Left in Appropriations

HB852 [Refugees, certain; assisting federal government with resettling.](#)

Chief Patron: Hugo

Summary:

Provides that no agency of the Commonwealth, political subdivision of the Commonwealth, officer or employee of either acting in his official capacity, or member of the Virginia National Guard or Virginia Defense Force, when such member is serving in the Virginia National Guard or the Virginia Defense Force on official state duty, shall knowingly aid, participate with, or otherwise provide any assistance to (i) any agency, department, or other instrumentality of the federal government, or any employee or officer thereof, with the resettlement in the Commonwealth of any refugee from any country that has been designated a state sponsor of terrorism by the U.S. State Department or (ii) any such refugee who has been resettled in the Commonwealth on or after January 1, 2016. The bill contains an emergency clause and has an expiration date of July 1, 2018.

Status:

01/12/16 House: Referred to Committee on General Laws

01/18/16 House: Assigned GL sub: Subcommittee #2

01/28/16 House: Impact statement from VDH (HB852)

02/09/16 House: Subcommittee recommends reporting with amendment(s) (5-Y 2-N)

02/11/16 House: Incorporated by General Laws (HB494-Marshall, R.G.)

HB863 [Higher educational institutions; admission of undergraduate students domiciled in Virginia.](#)

Chief Patron: Hugo

Summary:

Requires the governing board of each public institution of higher education, except for the Virginia Military Institute, Norfolk State University, and Virginia State University, to establish policies requiring that at least 75 percent of undergraduate students admitted to the institution have established domicile in Virginia. The bill requires each such governing board to recover any lost revenue caused by this requirement by increasing the tuition charged to out-of-state undergraduate students. The bill requires compliance with such requirements and policies beginning no later than June 30, 2021.

Status:

01/12/16 House: Referred to Committee on Education

01/19/16 House: Assigned Education sub: Higher Education

01/21/16 House: Impact statement from DPB (HB863)

02/09/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in Education

HB866 [Hospitals; advance disclosure of allowed amount or charge for procedure.](#)

Chief Patron: O'Bannon

Summary:

Requires every hospital to disclose, prior to admitting a patient whose health plan includes a deductible, copayment, or coinsurance requirement for health care service of \$500 or more for an elective procedure or performing an elective procedure or test on or delivering an elective service to such patient, and upon request of such patient or his legally authorized representative, the amount of payment for the procedure for which the patient may be responsible after any reimbursement or payment made by the patient's health insurance provider.

Status:

01/12/16 House: Referred to Committee on Health, Welfare and Institutions

01/20/16 House: Assigned HWI sub: Subcommittee #1

01/21/16 House: Impact statement from VDH (HB866)

02/02/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in Health, Welfare and Institutions

HB873 [Public & private schools & higher educational institutions; for-hire motor carriers.](#)

Chief Patron: Hugo

Summary:

Requires each public and private elementary and secondary school and institution of higher education in the Commonwealth to (i) exercise due diligence in the selection of for-hire motor carriers, as that term is defined by the Federal Motor Carrier Safety Administration pursuant to federal regulations, to transport individuals to and from school-sponsored events and (ii) document the results of such exercise of due diligence in writing.

Status:

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16101736D

01/12/16 House: Referred to Committee on Education

01/19/16 House: Assigned Education sub: Higher Education

02/02/16 House: Subcommittee recommends striking from docket

02/10/16 House: Stricken from docket by Education

HB876 [Higher educational institutions; student health insurance coverage.](#)

Chief Patron: Hugo

Summary:

Provides that any public institution of higher education that offers to provide enrolled students with health insurance coverage shall provide such coverage on an opt-in basis.

Status:

01/12/16 House: Referred to Committee on Education

01/19/16 House: Assigned Education sub: Higher Education

01/19/16 House: Impact statement from DPB (HB876)

01/26/16 House: Subcommittee recommends laying on the table

HB887 [Virginia Public Procurement Act; requirements for use of construction management.](#)

Companion Bill: SB586

Chief Patron: Albo

Summary:

Restricts the use of construction management procurements by public bodies unless (i) the total project cost is \$50 million or more, (ii) a written determination is provided stating that competitive sealed bidding is not practicable or fiscally advantageous, (iii) the contract is entered into prior to the schematic phase of design, (iv) construction management experience is not required or considered as part of the award, (v) price is the primary determining factor for award of the contract, and (vi) proposers provide for the participation of small, women-owned, and minority-owned businesses in the project. The bill provides that for projects where the total project cost is not expected to exceed \$50 million, a public body may use competitive negotiation to procure construction on a construction management basis if (i) the above requirements are met; (ii) the project is (a) of substantial historical value or interest or (b) significantly unique or extremely complex in nature; (iii) prior to any solicitation for such project, the public body notifies in writing the Director of the Department of General Services in the case of state public bodies, or the local governing body in the case of a local public body, of its intent to procure construction on a construction management basis; and (iv) the Director of the Department of General Services or the local governing body, as the case may be, makes a finding that the public body is in compliance with the requirements of this subsection, which finding shall be on a per project basis and shall be in writing. The findings for state public bodies shall be made by the Director under existing regulations and guidelines established by the Department of General Services. In addition, the bill defines "public body" for the purposes of the use of construction management for construction to include (i) public institutions of higher education that have executed a valid management agreement under the Restructured Higher Education Financial and Administrative Operations Act of 2005 (§ 23-38.88 et seq.) and (ii) localities and school divisions that were previously exempt based on the adoption of alternative policies and procedures based on competitive principles and generally applicable to procurement of goods and services by the locality or school division.

Status:

01/18/16 House: Assigned GL sub: Subcommittee #2

02/04/16 House: Impact statement from DPB (HB887)

02/04/16 House: Committee substitute printed to Web only 16105171D-H1

02/04/16 House: Subcommittee recommends continuing to 2017

02/09/16 House: Continued to 2017 in General Laws

HB888 [Virginia Public Procurement Act; requirements for certain construction projects.](#)

Chief Patron: Albo

Summary:

Restricts the use of construction management procurements by public bodies to contracts of \$50 million or more, provided that such contracts involve projects that, among other requirements, are (i) of substantial historical value or interest or (ii) significantly unique or extremely complex in nature. State public bodies may request a waiver from the restriction on a project-by-project basis from the Director of the Department of General Services. In the case of procurement by localities, a waiver may be granted by the local governing body. The bill defines "public body" for the purposes of the use of construction management for construction to include public institutions of higher education under the Restructured Higher Education Financial and Administrative Operations Act of 2005 (§ 23-38.88 et seq.) and any public body that has implemented the provisions of the Virginia Public Procurement Act pursuant to § 2.2-4302.

Status:

01/12/16 House: Referred to Committee on General Laws

01/18/16 House: Assigned GL sub: Subcommittee #2

02/04/16 House: Impact statement from DPB (HB888)

02/04/16 House: Subcommittee recommends striking from docket

02/09/16 House: Stricken from docket by General Laws

HB902 [Commonwealth Genomics and Personalized Medicine Authority; created, report.](#)

Companion Bill: SB429

Chief Patron: Greason

Summary:

Creates the Commonwealth Genomics and Personalized Medicine Authority (the Authority) as a political subdivision of the Commonwealth. The Authority's purpose is to encourage coordination and collaboration between public and private entities in the Commonwealth in translational research and commercialization related to genomics and personalized medicine.

Status:

01/12/16 House: Referred to Committee on Appropriations

01/18/16 House: Assigned App. sub: Higher Education

01/26/16 House: Impact statement from DPB (HB902)

02/10/16 House: Subcommittee recommends laying on the table

02/18/16 House: Left in Appropriations

HB905 [Hospitals; advance disclosure of charge for elective procedure, test, or service.](#)

Chief Patron: Yancey

Summary:

Requires every hospital to furnish a patient scheduled to receive an elective procedure, test or service to be performed by the hospital, upon his request or the request of his legally authorized representative made no less than three days in advance of the date on which such elective procedure, test or service is scheduled to be performed, with an estimate of the payment amount for which the participant will be responsible for such elective procedure, test, or service.

Status:

02/29/16 Senate: Reconsideration of Senate passage agreed to by Senate (38-Y 0-N)

02/29/16 Senate: Passed Senate (38-Y 0-N)

03/02/16 House: Enrolled

03/02/16 House: Bill text as passed House and Senate (HB905ER)

03/02/16 House: Impact statement from VDH (HB905ER)

HB926 [Higher educational institutions; letter certifying good standing of certain students.](#)

Chief Patron: Mason

Summary:

Requires institutions of higher education that include notations on the transcripts of students who have been suspended for, have been permanently dismissed for, or withdraw from the institution while under investigation for offenses involving sexual violence under the institution's code, rules, or set of standards governing student conduct to require the dean of students or similar such individual at any other institution of higher education within or outside the Commonwealth to submit to it a letter certifying the

good standing of any student who seeks admission to the institution that requires the letter of certification and who, at the time such student withdraws from the other institution of higher education within or outside the Commonwealth, is determined to be in good standing according to the institution's code, rules, or set of standards governing such a determination and is not under investigation or subject to any pending institutional proceedings for a violation of the institution's code, rules, or set of standards governing student conduct.

Status:

01/12/16 House: Referred to Committee on Education

01/19/16 House: Assigned Education sub: Higher Education

01/21/16 House: Impact statement from DPB (HB926)

02/02/16 House: Subcommittee failed to recommend reporting (3-Y 6-N)

02/16/16 House: Left in Education

HB961 **[Higher educational institutions; alternative tuition or fee structures to students.](#)**

Chief Patron: Rush

Summary:

Permits each public institution of higher education to offer alternative tuition or fee structures to students. The bill provides that if a public institution of higher education offers alternative tuition or fee structures, including discounted tuition, four-year flat tuition rates, discounted student fees, or student fee and student services flexibility, to any Virginia-domiciled, first-time, incoming freshman undergraduate student who enrolls full time with the intent to earn a degree in a program that leads to employment in a high-demand field in the region, according to guidelines established by the State Council of Higher Education for Virginia, each student who receives the benefits of such an alternative tuition or fee structure shall count one and a half times for the purpose of (i) targeted economic and innovation incentives to increase degree completion in a timely or expedited manner, (ii) the base adequacy funding guidelines adopted and periodically updated by the Joint Subcommittee Studying Higher Education Funding Policies, or (iii) biennial assessments of institutional performance as set forth in Part 4 of the general appropriation act and consistent with § 23-9.6:1.01.

Status:

03/04/16 Senate: Substitute by Senator Norment agreed to 16106104D-S1

03/04/16 Senate: Engrossed by Senate - floor substitute HB961S1

03/04/16 Senate: Passed Senate with substitute (39-Y 0-N)

03/04/16 Senate: Reconsideration of Senate passage agreed to by Senate (39-Y 0-N)

03/04/16 Senate: Passed Senate with substitute (39-Y 0-N)

HB970 [Fetal remains; disposition, penalty.](#)

Chief Patron: LaRock

Summary:

Requires hospitals and health care providers who provide abortion services to dispose of fetal remains by burial or cremation. The bill also provides that any person who gives, offers to give, or accepts the transfer of fetal remains, except for the purpose of investigating a death or providing burial or cremation services, is guilty of a Class 4 felony.

Status:

01/12/16 House: Prefiled and ordered printed; offered 01/13/16 16103644D

01/12/16 House: Referred to Committee for Courts of Justice

01/14/16 House: Impact statement from VCSC (HB970)

01/26/16 House: Impact statement from VDH (HB970)

02/16/16 House: Left in Courts of Justice

HB985 [Virginia Freedom of Information Act; record exclusions; rule of redaction; no weight accorded.](#)

Chief Patron: Yancey

Summary:

Reverses the holding of the Virginia Supreme Court in the case of *Department of Corrections v. Surovell*, by setting out the general rule of redaction, which provides that no provision of FOIA is intended, nor shall it be construed or applied, to authorize a public body to withhold a public record in its entirety on the grounds that some portion of the public record is excluded from disclosure by FOIA or by any other provision of law. Further, the bill states that a public record may be withheld from disclosure in its entirety only to the extent that an exclusion from disclosure under FOIA or other provision of law applies to the entire content of the public record. Otherwise, only those portions of the public record containing information subject to an exclusion under FOIA or other provision of law may be withheld, and all portions of the public record that are not so excluded shall be disclosed. The bill also reverses that part of the holding of the Virginia Supreme Court in the case of *Department of Corrections v. Surovell* by providing that in a FOIA enforcement action, no court shall be required to accord any weight to the determination of a public body as to whether an exclusion applies. The bill contains technical amendments.

Status:

01/12/16 House: Referred to Committee on General Laws

01/20/16 House: Assigned GL sub: Subcommittee #2

01/28/16 House: Impact statement from DPB (HB985)

01/28/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in General Laws

HB998 [Law-enforcement agencies, local; body-worn cameras.](#)

Chief Patron: Levine

Summary:

Requires localities to adopt and establish a written policy for the operation of a body-worn camera system that conforms to the model policy established by the Department of Criminal Justice Services (the Department) prior to purchasing or deploying a body-worn camera system. The bill requires such policy to provide that (i) recorded individuals have a right to view and make copies of any audiovisual recording in which they are depicted; (ii) recordings be destroyed within 60 days unless certain exceptions apply; and (iii) the locality deploying the system review the recordings on a periodic basis to determine whether persons wearing the body-worn cameras are acting inappropriately or exhibiting bias. The bill provides that the Commonwealth shall reimburse each locality up to one-half of the costs of any body-worn camera system, provided that the locality has adopted and established a written policy that has been approved by the Department. The bill requires the Department to establish a model policy for the operation of body-worn camera systems and establish procedures for the reimbursement of counties and cities that purchase a body-worn camera system.

Status:

01/13/16 House: Referred to Committee for Courts of Justice

01/19/16 House: Assigned Courts sub: Criminal Law

01/29/16 House: Impact statement from DPB (HB998)

02/10/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in Courts of Justice

HB1012 [Virginia College Building Authority; financing projects, participating institutions.](#)

Companion Bill: SB313

Chief Patron: Massie

Summary:

Permits any organization that is exempt from federal income taxation pursuant to § 501(c)(3) of the Internal Revenue Code and that is owned or controlled by a public institution of higher education in the Commonwealth or whose purpose is to support or otherwise benefit a public institution of higher education in the Commonwealth to finance projects through the Virginia College Building Authority.

Status:

03/02/16 Senate: Constitutional reading dispensed (40-Y 0-N)

03/03/16 Senate: Read third time

03/03/16 Senate: Passed Senate (39-Y 0-N)

03/03/16 Senate: Reconsideration of Senate passage agreed to by Senate (36-Y 0-N)

03/03/16 Senate: Passed Senate (40-Y 0-N)

HB1015 [Higher educational institutions; memorandum of understanding with local law-enforcement agencies.](#)

Chief Patron: Massie

Summary:

Permits each public institution of higher education or nonprofit private institution of higher education to request the cooperation of the primary law enforcement agency of the locality in which the institution is located to establish a written memorandum of understanding with such law-enforcement agency to address the prevention of and response to criminal sexual assault and requires such law-enforcement agency to cooperate in establishing such memorandum of understanding.

Status:

02/29/16 Senate: Reconsideration of Senate passage agreed to by Senate (38-Y 0-N)

02/29/16 Senate: Passed Senate (38-Y 0-N)

03/02/16 House: Enrolled

03/02/16 House: Bill text as passed House and Senate (HB1015ER)

03/02/16 House: Impact statement from DPB (HB1015ER)

HB1016 Sexual assault response teams; participants in annual meeting FOIA exclusion for records.

Chief Patron: Massie

Summary:

Adds the Title IX coordinator; representatives from the office of student affairs, human resources, and counseling services; and a representative of campus security of any institution of higher education in the jurisdiction to the list of persons invited to participate in the annual meeting of a sexual assault response team. The bill also excludes the records of a sexual assault response team from mandatory disclosure under the Virginia Freedom of Information Act.

Status:

03/03/16 Senate: Reading of amendment waived

03/03/16 Senate: Committee amendment agreed to

03/03/16 Senate: Engrossed by Senate as amended

03/03/16 Senate: Passed Senate with amendment (40-Y 0-N)

03/04/16 House: Placed on Calendar

HB1022 Virginia Guaranteed Assistance Program; eligibility, use of funds.

Chief Patron: Sickles

Summary:

Makes several changes to the student eligibility criteria for Virginia Guaranteed Assistance Program grants, including (i) removing the requirement that the recipient be a dependent, (ii) requiring the recipient to be enrolled full time, (iii) removing the restriction on the number of years for which the grant may be renewed annually, and (iv) permitting renewal of the grant only if the recipient successfully completes a minimum of 30 credit hours in the immediate preceding award year, unless granted an exception for cause pursuant to State Council of Higher Education for Virginia regulations. The bill permits public institutions of higher education to use Guaranteed Assistance Program funds to provide enhanced awards to students who are enrolled in at least 15 credit hours per term. The provisions of the bill become effective beginning with first-time entering freshman class of the fall 2017 academic year.

Status:

01/13/16 House: Referred to Committee on Appropriations

01/19/16 House: Assigned App. sub: Higher Education

01/26/16 House: Impact statement from DPB (HB1022)

02/08/16 House: Subcommittee recommends laying on the table

02/18/16 House: Left in Appropriations

HB1072 [Virginia Retirement System; modifies hybrid retirement program.](#)

Chief Patron: Jones

Summary:

Modifies the hybrid retirement program by (i) increasing the mandatory employer contribution to the defined contribution component from 1% to 2% of creditable compensation, (ii) decreasing the employer's maximum matching contribution to the defined contribution component from 2.5% to 1.5% of creditable compensation, (iii) increasing the employee's mandatory contribution to the defined contribution component from 1% to 2% of creditable compensation, (iv) decreasing the employee's maximum contribution to the voluntary defined contribution component from 4% to 3% of creditable compensation, (v) decreasing from three years to two years the period in which a new member of the hybrid retirement program is required to make the maximum voluntary contribution to the defined contribution component, and (vi) decreasing the employee's contribution to the defined benefit component from 4% to 3% of creditable compensation. The bill also sets a new employee's voluntary contribution rate to the defined contribution component at 0.5% unless the employee opts out.

Status:

01/13/16 House: Referred to Committee on Appropriations

01/19/16 House: Assigned App. sub: Compensation and Retirement

01/25/16 House: Impact statement from VRS (HB1072)

02/11/16 House: Subcommittee recommends continuing to 2017

02/12/16 House: Continued to 2017 in Appropriations

HB1083 [Medical Care Facilities Certificate of Public Need Program; changes to Program, report.](#)

Companion Bill: SB641

Chief Patron: Stolle

Summary:

Makes changes to the Medical Care Facilities Certificate of Public Need Program. The bill (i) removes specialized centers or clinics or that portion of a physician's office developed for the provision of lithotripsy, magnetic source imaging (MSI), or nuclear medicine imaging from the list of reviewable medical care facilities; (ii) provides that establishment of a medical care facility to replace an existing

medical care facility with the same primary service area does not constitute a project; (iii) removes introduction into an existing medical care facility of any new lithotripsy, magnetic source imaging, or obstetrical service that the facility has never provided or has not provided in the previous 12 months and addition by an existing medical care facility of any medical equipment for the provision of lithotripsy and magnetic source imaging (MSI) from the definition of project; (iv) creates a new process for registration of projects exempted from the definition of project by the bill; (v) establishes an expedited 45-day review process for applicants for projects determined to be uncontested or to present limited health planning impacts; (vi) renames the State Medical Facilities Plan as the State Health Services Plan and establishes a State Health Services Plan Advisory Council to provide recommendations related to the content of the State Health Services Plan; (vii) clarifies the content of the application for a certificate; and (viii) reduces the timeline for a person to be made party to the case for good cause from 80 calendar days to four days following completion of the review and submission of recommendations related to an application.

The bill also (a) directs the Department to develop recommendations to reduce the duration of the average review cycle for applications for certificates of public need to not more than 120 days and to report on its recommendations to the Governor and the General Assembly no later than December 1, 2016; (b) directs the Secretary of Health and Human Resources to review charity care services delivered throughout the Commonwealth and recommend changes to the definition of charity and to the types of charity care requirements imposed on various health care services and report to the Governor and the General Assembly by December 1, 2016; (c) directs the Secretary of Health and Human Resources to convene a group of stakeholders to study and make recommendations related to the appropriate authority of the State Health Commissioner to impose additional conditions on certificates; (d) directs the Secretary of Health and Human Resources to implement a system to ensure that data needed to evaluate whether an application for a certificate is consistent with the State Health Services Plan is timely and reliable, to make all public records pertaining to applications for certificates and the review process available in real-time in a searchable, digital format online, to make an inventory of capacity authorized by certificates of public need, both operational and not yet operational, available in a digital format online, and to make charity care conditions, charity care compliance reporting status, and details on the exact amount of charity care provided or contributed and to whom it was provided or contributed available in a digital format online; (e) directs the Commissioner of Health to develop an analytical framework to guide the work of the State Health Services Plan Advisory Council; and (f) directs the Joint Commission on Health Care to develop specific recommendations for eliminating differences in the certificate of public need review process from one region to another and report on the recommendations to the Chairmen of the House Health, Welfare and Institutions and Senate Education and Health Committees by December 1, 2016.

Status:

01/13/16 House: Prefiled and ordered printed; offered 01/13/16 16103619D

01/13/16 House: Referred to Committee on Health, Welfare and Institutions

01/20/16 House: Assigned HWI sub: Subcommittee #3

01/27/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in Health, Welfare and Institutions

HB1096 [Firearms; regulation by state entities prohibited.](#)

Chief Patron: Webert

Summary:

Prohibits any state entity from adopting or enforcing any rule, regulation, policy, or administrative action governing the purchase, possession, transfer, ownership, carrying, storage, or transporting of firearms, ammunition, or components or combinations thereof unless expressly authorized by statute. The bill invalidates any such rule, regulation, policy, or administrative action adopted by a state entity prior to July 1, 2016. The bill does not prohibit a law-enforcement officer from acting within the scope of his duties, nor does it apply to the Department of Corrections, Department of Juvenile Justice, Department of State Police, Virginia National Guard, Department of Behavioral Health and Developmental Services, Department of Social Services, Virginia Port Authority, Officer of the State Inspector General, or any institution of higher education. The bill allows entities to adopt or enforce rules or regulations necessary for compliance with the Fire Prevention Code or necessary for the operation of Reserve Officer Training Corps programs. The bill expressly authorizes the Board of Game and Inland Fisheries to create certain regulations governing the possession, carrying, transportation, and storage of firearms, ammunition, or components or combinations thereof. This bill incorporates [HB 593](#).

Status:

03/02/16 House: Senate amendment agreed to by House (65-Y 33-N)

03/02/16 House: VOTE: ADOPTION (65-Y 33-N)

03/03/16 House: Enrolled

03/03/16 House: Bill text as passed House and Senate (HB1096ER)

03/03/16 House: Impact statement from DPB (HB1096ER)

HB1136 [Capital outlay plan; revises six-year plan for projects.](#)

Companion Bill: SB232

Chief Patron: Jones

Summary:

Status:

01/13/16 House: Referred to Committee on Appropriations

01/19/16 House: Assigned App. sub: General Government & Capital Outlay

01/23/16 House: Impact statement from DPB (HB1136)

02/10/16 House: Subcommittee recommends continuing to 2017

02/10/16 House: Continued to 2017 in Appropriations

HB1143 [Body-worn cameras; required policies.](#)

Chief Patron: Lindsey

Summary:

Requires localities to adopt and establish a written policy for the operation of a body-worn camera system that conforms to the model policy established by the Department of Criminal Justice Services prior to purchasing or deploying a body-worn camera system. The bill requires such policy to provide that (i) recorded individuals have a right to review any audiovisual recording in which they are depicted; (ii) recordings be destroyed within 30 days unless certain exceptions apply; and (iii) the locality deploying the system review the recordings on a periodic basis to determine whether persons wearing the body-worn cameras are acting inappropriately or exhibiting bias.

Status:

01/13/16 House: Referred to Committee for Courts of Justice

01/20/16 House: Assigned Courts sub: Criminal Law

01/29/16 House: Impact statement from DPB (HB1143)

02/10/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in Courts of Justice

HB1158 [Physical evidence; procedure for collection, etc., of recovery kits.](#)

Chief Patron: Watts

Summary:

Establishes a comprehensive procedure for the collection and analysis of physical evidence recovery kits for victims of sexual assault, including those who elect at the time of the exam not to report a sexual assault to a law-enforcement agency. Kits from victims who elect not to report are known as "anonymous physical evidence recovery kits" and will be stored at the Division of Consolidated Laboratory Services (the Division) for two years, although the Division, the victim, or the law-enforcement agency may elect for the kits to be retained for a longer period of time. If the victim later elects to report the sexual assault, the victim's kit will be released to law enforcement. Health care providers are required to explain these procedures and time frames to victims. Where the victim elects to report the offense to law enforcement at the time of the exam, law enforcement is required to take

possession of the victim's kit forthwith upon notification from the health care provider that the kit has been collected and, with limited exceptions, to submit the kit to the Department of Forensic Science for analysis within 60 days. The bill outlines the exceptions to mandatory submission for analysis, time frames, and storage requirements for retention of analyzed samples; expungement of DNA samples obtained but not connected to a crime; and victims' notification rights. This bill was incorporated into [HB 1160](#).

Status:

01/13/16 House: Referred to Committee for Courts of Justice

01/20/16 House: Assigned Courts sub: Criminal Law

01/27/16 House: Impact statement from DPB (HB1158)

02/08/16 House: Subcommittee recommends laying on the table

02/10/16 House: Incorporated by Courts of Justice (HB1160-Bell, Robert B.)

HB1160 [Physical evidence recovery kits.](#)

Companion Bill: SB291

Chief Patron: Bell, Robert B.

Summary:

Establishes a comprehensive procedure for the collection and analysis of physical evidence recovery kits for victims of sexual assault, including those who elect at the time of the exam not to report a sexual assault to a law-enforcement agency. Kits from victims who elect not to report are known as "anonymous physical evidence recovery kits" and will be stored at the Division of Consolidated Laboratory Services (the Division) for two years, although the Division, the victim, or the law-enforcement agency may elect for the kits to be retained for a longer period of time. If the victim later elects to report the sexual assault, the victim's kit will be released to law enforcement. Health care providers are required to explain these procedures and time frames to victims. Where the victim elects to report the offense to law enforcement at the time of the exam, law enforcement is required to take possession of the victim's kit forthwith upon notification from the health care provider that the kit has been collected and, with limited exceptions, to submit the kit to the Department of Forensic Science for analysis within 60 days. The bill outlines the exceptions to mandatory submission for analysis, time frames, and storage requirements for retention of analyzed samples; expungement of DNA samples obtained but not connected to a crime; and victims' notification rights. This bill incorporates [HB 1158](#).

Status:

03/04/16 House: Senate amendment agreed to by House (96-Y 3-N)

03/04/16 House: VOTE: ADOPTION (96-Y 3-N)

03/04/16 House: Reconsideration of Senate amendment agreed to by House

03/04/16 House: Senate amendment agreed to by House (98-Y 1-N)

03/04/16 House: VOTE: ADOPTION #2 (98-Y 1-N)

HB1247 [Higher educational institutions; student expulsion, appeal.](#)

Chief Patron: Albo

Summary:

Permits any student who, as a result of any institutional proceeding at a public institution of higher education, is expelled from the institution for a violation of the institution's code, rules, or set of standards governing student conduct to appeal such decision to the governing board of such institution. The bill requires the governing board of each public institution of higher education to adopt institution policies and procedures for such student appeals.

Status:

01/19/16 House: Referred to Committee on Education

01/29/16 House: Assigned Education sub: Higher Education

02/01/16 House: Impact statement from DPB (HB1247)

02/02/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in Education

HB1303 [Higher educational institutions; educational programs for members of board of visitors.](#)

Chief Patron: Landes

Summary:

Prohibits the reappointment of any member of the board of visitors of a four-year public institution of higher education or the State Board for Community Colleges who fails to attend during his first four-year term the statutorily required educational programs provided by the State Council of Higher Education for Virginia that address the role, duties, and responsibilities of such governing boards.

Status:

02/29/16 Senate: Reconsideration of Senate passage agreed to by Senate (38-Y 0-N)

02/29/16 Senate: Passed Senate (38-Y 0-N)

03/02/16 House: Enrolled

03/02/16 House: Bill text as passed House and Senate (HB1303ER)

03/02/16 House: Impact statement from DPB (HB1303ER)

HB1327 [Local law-enforcement agencies; body-worn cameras.](#)

Chief Patron: Davis

Summary:

Requires localities to adopt and establish a written policy for the operation of a body-worn camera system that conforms to the model policy established by the Department of Criminal Justice Services (the Department) prior to purchasing or deploying a body-worn camera system. The bill requires such policy to provide that (i) recorded individuals have a right to view and make copies of any audiovisual recording in which they are depicted; (ii) recordings be destroyed within 60 days unless certain exceptions apply; and (iii) the locality deploying the system review the recordings on a periodic basis to determine whether persons wearing the body-worn cameras are acting inappropriately or exhibiting bias. The bill provides that the Commonwealth shall reimburse each locality up to one-half of the costs of any body-worn camera system, provided that the locality has adopted and established a written policy that has been approved by the Department. The bill requires the Department to establish a model policy for the operation of body-worn camera systems and establish procedures for the reimbursement of counties and cities that purchase a body-worn camera system.

Status:

01/21/16 House: Referred to Committee for Courts of Justice

01/26/16 House: Assigned Courts sub: Criminal Law

01/29/16 House: Impact statement from DPB (HB1327)

02/10/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in Courts of Justice

HB1332 [The Virginia Electronic Communications Privacy Act; report.](#)

Companion Bill: SB599

Chief Patron: Dudenhefer

Summary:

Prohibits a state or local government agency from taking certain actions relating to access to electronic communication information from a service provider, access to electronic device information from any

person other than the authorized possessor of the device, or access to electronic device information by means of physical interaction or electronic communication with the electronic device. Exceptions allow access to electronic communication information or access to electronic device information pursuant to a warrant or wiretap order or with the consent of the authorized possessor of the device. The measure establishes requirements for a warrant for electronic information. An agency that receives voluntarily-provided electronic communication information is required to destroy the information within 90 days unless, subject to certain exceptions. If an agency obtains electronic information pursuant to an emergency involving danger of death or serious physical injury to a person, that requires access to the electronic information without delay, it is required within three days to file an application for a warrant or order authorizing obtaining the electronic information or a motion seeking approval of the emergency disclosures. An agency that obtains electronic communication information is required to make an annual report to the Attorney General. The Attorney General's office is required to publish on its website the individual reports from each agency that requests or compels the production of contents or records pertaining to an electronic communication or location information and a summary of such information.

Status:

01/21/16 House: Referred to Committee on Commerce and Labor

02/01/16 House: Impact statement from DPB (HB1332)

02/02/16 House: Referred from Commerce and Labor

02/02/16 House: Referred to Committee on Science and Technology

02/08/16 House: Continued to 2017 in Science and Technology

HB1343 [Virginia Growth and Opportunity Board; established, appointments of nonlegislative members, report.](#)

Chief Patron: Jones

Summary:

Establishes the Virginia Growth and Opportunity Board (the Board) to administer grants from the Virginia Research, Development, and Commercialization Fund (the Fund), created by this bill, to promote research, development, and commercialization in the Commonwealth and economic development related thereto. The bill provides that the State Council of Higher Education for Virginia (SCHEV) will establish guidelines related to administration and award of grants from the Fund, subject to approval by the Board. Upon receipt of completed grant applications, SCHEV will forward them to an entity with recognized science and technology expertise to review and rank the applications. Applications will then be forwarded to a Research Proposal Review Committee to evaluate the potential economic impact of the proposals. The Board would ultimately make award decisions, taking into account the recommendations from these review panels.

Status:

02/16/16 House: Read third time and passed House (91-Y 7-N)

02/16/16 House: VOTE: PASSAGE (91-Y 7-N)
02/17/16 Senate: Constitutional reading dispensed
02/17/16 Senate: Referred to Committee on Finance
02/29/16 House: Impact statement from DPB (HB1343H1)

HB1344 [Bonds; certain capital projects.](#)

Companion Bill: SB731

Chief Patron: Jones

Summary:

Authorizes the Virginia Public Building Authority and the Virginia College Building Authority to issue bonds in a total aggregate amount not to exceed \$1,504,400,000 plus costs to fund certain capital projects.

Status:

03/01/16 House: Senate substitute rejected by House 16105769D-S1 (0-Y 94-N)
03/01/16 House: VOTE:REJECTED (0-Y 94-N)
03/03/16 Senate: Senate insisted on substitute (40-Y 0-N)
03/03/16 Senate: Senate requested conference committee
03/04/16 House: House acceded to request

HB1349 [Resettlement of refugees; review process.](#)

Chief Patron: Freitas

Summary:

Status:

01/21/16 House: Referred to Committee on General Laws
01/27/16 House: Assigned GL sub: Subcommittee #2
02/09/16 House: Subcommittee recommends incorporating (HB852-Hugo)

02/10/16 House: Impact statement from DPB (HB1349)

02/11/16 House: Incorporated by General Laws (HB494-Marshall, R.G.)

HB1362 Conflicts of Interests Acts, State & Local Government & General Assembly; lobbyist reporting.

Companion Bill: SB692

Chief Patron: Gilbert

Summary:

Requires the disclosure forms filed by lobbyists and persons subject to the conflict of interests acts to be filed annually. Lobbyists are required to file by July 1 for the preceding 12-month period complete through the last day of April. Persons subject to the conflict of interests acts are required to file on or before January 15. The bill contains technical amendments to reflect the change in filing cycles. The bill also requires the Governor, Lieutenant Governor, Attorney General, members of the Governor's Cabinet, and members of the General Assembly to file on or before May 1 a separate report of gifts received during the period beginning January 1 through adjournment sine die of the regular session of the General Assembly.

Status:

03/04/16 Senate: Incorporates HB1361

03/04/16 Senate: Incorporates HB857

03/04/16 Senate: Incorporates HB860

03/04/16 Senate: Incorporates HB861

03/04/16 Senate: Incorporates HB862

HB1367 Four-year public institutions of higher education; alternative tuition or fee structures.

Chief Patron: Kory

Summary:

Permits each public institution of higher education to offer alternative tuition or fee structures to students. The bill provides that if a public institution of higher education, with the approval of the State Council of Higher Education for Virginia (the Council), offers alternative tuition or fee structures, including discounted tuition, four-year flat tuition rates, discounted student fees, or student fee and student services flexibility, to any Virginia-domiciled, first-time, incoming freshman undergraduate

student who enrolls full time with the intent to earn a degree in a program that leads to employment in a high-demand field in the region, according to guidelines established by the Council, each student who receives the benefits of such an alternative tuition or fee structure shall count one and a half times for the purpose of (i) targeted economic and innovation incentives to increase degree completion in a timely or expedited manner, (ii) the base adequacy funding guidelines adopted and periodically updated by the Joint Subcommittee Studying Higher Education Funding Policies, or (iii) biennial assessments of institutional performance as set forth in Part 4 of the general appropriation act and consistent with § 23-9.6:1.01.

Status:

01/22/16 House: Referred to Committee on Education

01/27/16 House: Impact statement from DPB (HB1367)

01/29/16 House: Assigned Education sub: Higher Education

02/02/16 House: Subcommittee recommends laying on the table

02/16/16 House: Left in Education

HB1369 [Virginia Health Care Innovation Fund; created, report.](#)

Chief Patron: Stolle

Summary:

to consist of certain funds resulting from savings to the Commonwealth's program of medical assistance, to be used to improve access to health care in the Commonwealth by (i) improving access to care, particularly in rural areas, by increasing reimbursement rates up to 80 percent of the upper payment limit established by the Centers for Medicare and Medicaid Services for services delivered by health care providers; (ii) facilitating the delivery of additional health care services to reduce the cost of health care and improve health care outcomes; and (iii) increasing the capacity of existing health safety net programs, including rural health clinics, free clinics, federally qualified health centers, and existing mobile health clinics.

The bill also requires the Commissioner of Health to conduct a gap analysis to determine (i) the number of individuals residing in the Commonwealth whose household income is no more than 100 percent of the federal poverty level for a household of that size who are not covered by Medicaid, Medicare, other public health care coverage, or private insurance, including the number of such individuals who are (a) aged, blind, or disabled or (b) chronically ill as evidenced by an inability to perform at least two activities of daily living or who have a similar level of disability as determined by the U.S. Secretary of Health and Human Services or require substantial supervision by another person to protect the individual from threats to health and safety due to severe cognitive impairments; (ii) the geographic distribution of such individuals in the Commonwealth; (iii) the health care needs of such individuals; (iv) the extent to which those health care needs are currently being met by existing mobile health clinics, rural health clinics, free clinics, and federally qualified health clinics; and (v) the services necessary to meet any unmet health care needs of such individuals, and to report his findings to the Medicaid Innovation and Reform

Commission no later than December 1, 2016. The bill requires the Department of Medical Assistance Services to review its process and criteria for identifying hospitals eligible for Medicaid disproportionate share hospital payments and the formula for calculating the amount of payments to qualifying hospitals, develop recommendations for revising the formula to link the amount of disproportionate share hospital payments made to qualifying hospitals with the quality of health care provided to, and health care outcomes for, individuals receiving care, and report its findings and recommendations, including recommendations for the criteria and measures to be used to determine health care outcomes and the quality of health care delivered, to the Medicaid Innovation and Reform Commission by December 1, 2016.

Status:

01/22/16 House: Presented and ordered printed 16100535D

01/22/16 House: Referred to Committee on Appropriations

01/27/16 House: Assigned App. sub: Health & Human Resources

02/09/16 House: Subcommittee recommends laying on the table

02/18/16 House: Left in Appropriations

SB29 [**Budget Bill.**](#)

Companion Bill: HB29

Chief Patron: Norment

Summary:

Amending Chapter 665 of the 2015 Acts of Assembly.

Status:

02/25/16 Senate: Constitutional reading dispensed (39-Y 0-N)

02/25/16 Senate: Passed Senate (39-Y 0-N)

02/29/16 House: Placed on Calendar

02/29/16 House: Read first time

02/29/16 House: Referred to Committee on Appropriations

SB30 [**Budget Bill.**](#)

Companion Bill: HB30

Chief Patron: Norment

Summary:

Appropriations of the Budget submitted by the Governor of Virginia in accordance with the provisions of § 2.2-1509, Code of Virginia, and to provide a portion of revenues for the two years ending respectively on the thirtieth day of June, 2017, and the thirtieth day of June, 2018.

Status:

02/25/16 Senate: Constitutional reading dispensed (38-Y 0-N)

02/25/16 Senate: Passed Senate (38-Y 1-N)

02/29/16 House: Placed on Calendar

02/29/16 House: Read first time

02/29/16 House: Referred to Committee on Appropriations

SB52 [Virginia Student Loan Refinancing Authority; established, report.](#)

Chief Patron: Howell

Summary:

Establishes the Virginia Student Loan Refinancing Authority, to be governed by a 10-member board, for the purpose of developing and implementing a program by which each individual who incurred qualified education loan debt as a Virginia student at an institution of higher education in the Commonwealth and who is eligible, on the basis of criteria established by the Authority that are substantially similar to criteria used by private lenders in the Commonwealth to evaluate student eligibility for an unsecured personal loan at market rates, may receive a loan from the Authority to refinance all or part of his qualified education loans, as that term is defined in relevant federal law.

Status:

12/16/15 Senate: Prefiled and ordered printed; offered 01/13/16 16100703D

12/16/15 Senate: Referred to Committee on Education and Health

01/21/16 Senate: Assigned Education sub: Higher Education

01/28/16 Senate: Continued to 2017 in Education and Health (13-Y 0-N)

SB158 [Sexual assault investigations; collection and storage of evidence.](#)

Chief Patron: Favola

Summary:

Requires the Department of State Police, all police and sheriff's departments, and every campus police department to submit all physical evidence recovery kits that are in their custody on July 1, 2016, and all physical evidence recovery kits that come into their custody after July 1, 2016, to the Department of Forensic Science for analysis. Forensic evidence that does not meet the standards for retention in a state or national data bank shall be returned to the law-enforcement agency that submitted the physical evidence recovery kit, which shall store such kit whether or not the victim has reported the sexual assault to law enforcement. This bill was incorporated into [SB 291](#).

Status:

12/29/15 Senate: Prefiled and ordered printed; offered 01/13/16 16101390D

12/29/15 Senate: Referred to Committee for Courts of Justice

02/01/16 Senate: Incorporated by Courts of Justice (SB291-Black) (14-Y 0-N)

SB159 [Campus police departments; retention and storage of physical evidence recovery kits.](#)

Chief Patron: Favola

Summary:

Requires campus police departments to retain and store physical evidence recovery kits for a minimum of two years where the victim of the sexual assault elects not to report the sexual assault to law enforcement at the time of the collection of such evidence. This bill was incorporated into [SB 291](#).

Status:

12/29/15 Senate: Referred to Committee on Education and Health

01/21/16 Senate: Reported from Education and Health (14-Y 0-N)

01/21/16 Senate: Rereferred to Courts of Justice

01/21/16 Senate: Impact statement from DPB (SB159)

02/01/16 Senate: Incorporated by Courts of Justice (SB291-Black) (14-Y 0-N)

SB202 [Virginia Freedom of Information Act; disclosure of salaries of public employees.](#)

Chief Patron: Stuart

Summary:

Provides that public access to records of the official salaries or rates of pay of public employees whose annual rate of pay is the annual equivalent of twice the federal minimum wage or less is not required under FOIA. Currently, public access to salary information is required for public employees whose annual rate of pay is more than \$10,000. The bill also provides that publicly available databases of public employees' salaries shall not include the name of any public officer, appointee, or employee. The bill contains a technical amendment.

Status:

02/17/16 House: Placed on Calendar

02/17/16 House: Read first time

02/17/16 House: Referred to Committee on General Laws

02/17/16 House: Assigned GL sub: Subcommittee #2

02/25/16 House: Subcommittee recommends laying on the table

SB232 [Capital outlay plan; revises six-year plan for projects.](#)

Companion Bill: HB1136

Chief Patron: Hanger

Summary:

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

Status:

02/17/16 House: Read first time

02/17/16 House: Referred to Committee on Appropriations

02/22/16 House: Assigned App. sub: General Government & Capital Outlay

02/29/16 House: Subcommittee recommends continuing to 2017

02/29/16 House: Continued to 2017 in Appropriations

SB291 [Physical evidence; procedure for collection, etc., of recovery kits.](#)

Companion Bill: HB1160

Chief Patron: Black

Summary:

Establishes a comprehensive procedure for the collection and analysis of physical evidence recovery kits for victims of sexual assault, including those who elect at the time of the exam not to report a sexual assault to a law-enforcement agency. Kits from victims who elect not to report are known as "anonymous physical evidence recovery kits" and will be stored at the Division of Consolidated Laboratory Services (the Division) for two years, although the Division, the victim, or the law-enforcement agency may elect for the kits to be retained for a longer period of time. If the victim later elects to report the sexual assault, the victim's kit will be released to law enforcement. Health care providers are required to explain these procedures and time frames to victims. Where the victim elects to report the offense to law enforcement at the time of the exam, law enforcement is required to take possession of the victim's kit forthwith upon notification from the health care provider that the kit has been collected and, with limited exceptions, to submit the kit to the Department of Forensic Science for analysis within 60 days. The bill outlines the exceptions to mandatory submission for analysis, time frames, and storage requirements for retention of analyzed samples; expungement of DNA samples obtained but not connected to a crime; and victims' notification rights. This bill incorporates [SB 158](#) and [SB 159](#).

Status:

02/29/16 House: Signed by Speaker

03/01/16 Senate: Impact statement from DPB (SB291ER)

03/03/16 Senate: Signed by President

03/04/16 Senate: Enrolled Bill Communicated to Governor on 3/4/16

03/04/16 Governor: Governor's Action Deadline Midnight, March 11, 2016

SB313 [Virginia College Building Authority; financing projects, participating institutions.](#)

Companion Bill: HB1012

Chief Patron: Petersen

Summary:

Permits any organization that is exempt from federal income taxation pursuant to § 501(c)(3) of the Internal Revenue Code and that is owned or controlled by a public institution of higher education in the Commonwealth or whose purpose is to support or otherwise benefit a public institution of higher education in the Commonwealth to finance projects through the Virginia College Building Authority.

Status:

03/02/16 House: Passed House BLOCK VOTE (99-Y 0-N)

03/02/16 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

03/03/16 Senate: Enrolled

03/03/16 Senate: Bill text as passed Senate and House (SB313ER)

03/03/16 Senate: Impact statement from DPB (SB313ER)

SB333 [Certificates of public need.](#)

Chief Patron: DeSteph

Summary:

Creates a three-phase process to sunset certificate of public need requirements for many categories of medical care facilities and projects, with the requirement for a certificate of public need (i) for the establishment of a new imaging service or addition of new equipment for imaging services eliminated beginning July 1, 2016, for ambulatory and outpatient surgery centers eliminated beginning July 1, 2017, and (iii) for hospitals and all other categories of projects other than nursing homes and facilities and equipment for open heart surgery and organ or tissue transplant services eliminated beginning July 1, 2018. The bill also creates a new permitting process for categories of facilities and projects exempted from the certificate of public need process that requires the Commissioner of Health to issue a permit but allows the Commissioner to condition a permit (a) on the agreement of the applicant to provide a specified level of care at a reduced rate to indigents, accept patients requiring specialized care, or facilitate the development and operation of primary medical care services in designated medically underserved areas of the applicant's service area or (b) on compliance of the applicant with quality of care standards. The bill allows the Commissioner to refuse to issue a permit if he determines that the project for which the permit is sought would be detrimental to the provision of health services in underserved areas of the Commonwealth.

Status:

01/08/16 Senate: Prefiled and ordered printed; offered 01/13/16 16101707D

01/08/16 Senate: Referred to Committee on Education and Health

02/04/16 Senate: Impact statement from VDH (SB333)

02/05/16 Senate: Assigned Education sub: Health Professions

02/11/16 Senate: Incorporated by Education and Health (SB561-Newman) (15-Y 0-N)

SB338 [Higher educational institutions; study abroad programs.](#)

Chief Patron: Alexander

Summary:

Directs the State Council of Higher Education for Virginia to develop guidelines for study abroad programs.

Status:

03/02/16 House: Committee amendment agreed to

03/02/16 House: Engrossed by House as amended

03/02/16 House: Passed House with amendment BLOCK VOTE (99-Y 0-N)

03/02/16 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

03/04/16 Senate: House amendment agreed to by Senate (39-Y 0-N)

SB402 [Virginia Higher Education Scholarship Act Fund; created.](#)

Chief Patron: Garrett

Summary:

Requires, beginning with the incoming freshman class of 2017, the board of visitors of a four-year public institution of higher education to maintain a ratio of the in-state and out-of-state student population in each incoming freshman class that is not less than 55 percent in-state students. The bill establishes the Virginia Higher Education Scholarship Fund and Program. The program grants scholarships to the top two percent of graduates from Virginia public high schools. The scholarships pay for tuition, mandatory fees, room, and board for eight semesters over five years. Recipients may apply the scholarships to one of nine public institutions of higher education on the basis of the locality of the student's high school or to Norfolk State University, Virginia Military Institute, or Virginia State University.

Status:

01/12/16 Senate: Referred to Committee on Education and Health

01/18/16 Senate: Impact statement from DPB (SB402)

01/25/16 Senate: Assigned Education sub: Higher Education

01/28/16 Senate: Continued to 2017 in Education and Health (15-Y 0-N)

01/28/16 Senate: Committee substitute printed to Web only 16104835D-S1

SB425 [Higher education; student mental health policies.](#)

Companion Bill: HB523

Chief Patron: Edwards

Summary:

Specifies that the contact person designated by a memorandum of understanding between a public four-year institution of higher education and a mental health care provider to be notified when a student is involuntarily committed, or when a student is discharged from a facility, shall be notified only to the extent allowable under state and federal privacy laws.

Status:

02/26/16 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N)

03/01/16 Senate: House amendment agreed to by Senate (39-Y 0-N)

03/02/16 Senate: Enrolled

03/02/16 Senate: Bill text as passed Senate and House (SB425ER)

03/03/16 Senate: Impact statement from DPB (SB425ER)

SB429 [Creation of the Commonwealth Genomics and Personalized Medicine Authority.](#)

Companion Bill: HB902

Chief Patron: Saslaw

Summary:

Creates the Commonwealth Genomics and Personalized Medicine Authority (the Authority) as a political subdivision of the Commonwealth. The Authority's purpose is to encourage coordination and collaboration between public and private entities in the Commonwealth in translational research and commercialization related to genomics and personalized medicine.

Status:

01/12/16 Senate: Referred to Committee on General Laws and Technology

01/25/16 Senate: Reported from General Laws and Technology (13-Y 0-N 1-A)

01/25/16 Senate: Rereferred to Finance

01/29/16 Senate: Impact statement from DPB (SB429)

02/10/16 Senate: Continued to 2017 in Finance (14-Y 0-N)

SB440 [Virginia Guaranteed Assistance Program; eligibility; use of funds.](#)

Companion Bill: HB568

Chief Patron: Saslaw

Summary:

Makes several changes to the student eligibility criteria for Virginia Guaranteed Assistance Program grants, including (i) removing the requirement that the recipient be a dependent, (ii) requiring the recipient to be enrolled full time, (iii) removing the restriction on the number of years for which the grant may be renewed annually, and (iv) permitting renewal of the grant only if the recipient successfully completes a minimum of 30 credit hours in the immediate preceding award year, unless granted an exception for cause pursuant to State Council of Higher Education for Virginia regulations. The bill permits public institutions of higher education to use Guaranteed Assistance Program funds to provide enhanced awards to students who are enrolled in at least 15 credit hours per term. The provisions of the bill become effective beginning with first-time entering freshman class of the fall 2017 academic year.

Status:

03/03/16 House: Read third time

03/03/16 House: Committee substitute agreed to 16105859D-H1

03/03/16 House: Engrossed by House - committee substitute SB440H1

03/03/16 House: Passed House with substitute (95-Y 2-N)

03/03/16 House: VOTE: PASSAGE (95-Y 2-N)

SB449 [Virginia Growth and Opportunity Act; report.](#)

Companion Bill: HB834

Chief Patron: Norment

Summary:

Establishes the Virginia Growth and Opportunity Board to administer grants from the Virginia Growth and Opportunity Fund for regional economic and workforce development projects. The bill provides that regional councils will be established across the Commonwealth, consisting of representatives of government and the business and education communities, and councils may submit applications for collaborative projects in their region that enhance private-sector growth, competitiveness, and workforce development. A portion of the grant funds will be awarded on a population basis and a portion on a competitive basis.

Status:

02/12/16 Senate: Printed as engrossed 16105302D-ES1

02/17/16 House: Placed on Calendar

02/17/16 House: Read first time

02/17/16 House: Referred to Committee on Appropriations

02/18/16 Senate: Impact statement from DPB (SB449ES1)

SB452 [Medical school; clinical rotation requirements.](#)

Chief Patron: Stanley

Summary:

Requires any public institution of higher education that awards medical degrees to create and support at least one clinical rotation in a hospital or clinic located in a medically underserved area of the state as determined by the Virginia Department of Health, in an area of the state that has an unemployment rate of one and one-half times the statewide average unemployment rate, or in a locality with a population of 50,000 or less in the Commonwealth.

Status:

03/02/16 House: Passed House BLOCK VOTE (99-Y 0-N)

03/02/16 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

03/03/16 Senate: Enrolled

03/03/16 Senate: Bill text as passed Senate and House (SB452ER)

03/04/16 Senate: Impact statement from DPB (SB452ER)

SB459 [Virginia Collaborative Economic Development Act; established.](#)

Companion Bill: HB846

Chief Patron: Ruff

Summary:

Creates the Virginia Collaborative Economic Development Performance Grant Fund. Two or more localities in the same region that collaborate and adopt a collaborative economic development plan will be eligible for grants from the fund over a period of six years if the collaboration results in the location or expansion of a company in the Commonwealth that (i) creates at least 200 net new jobs and (ii) makes a

capital investment of at least \$25 million. If a majority of localities involved in the project have an unemployment rate that exceeds the state average unemployment rate by one-half percent, or a poverty rate greater than the statewide average, then a company will only have to create 25 net new jobs and make a capital investment of at least \$1 million to be eligible for the grants. The total amount of the grant applied for shall not exceed the total investment of the localities in executing the collaborative economic development plan, and each annual installment of the grant may not exceed 45 percent of the total annual amount of personal income tax withheld by the certified company from the newly created jobs. The Fund will be administered by a policy board created by legislation adopted by the 2016 Session of the General Assembly with a legislatively stated purpose of promoting collaborative regional economic development and workforce development opportunities. If no such board is created, the Virginia Economic Development Partnership will administer the Fund.

Status:

02/15/16 House: Placed on Calendar

02/15/16 House: Read first time

02/15/16 House: Referred to Committee on Appropriations

02/16/16 Senate: Impact statement from DPB (SB459S1)

02/22/16 House: Assigned App. sub: Commerce, Agriculture, Natural Resources and Technology

SB494 [Virginia Freedom of Information Act; record exclusions, rule of redaction, etc.](#)

Companion Bill: HB817

Chief Patron: Surovell

Summary:

Reverses the holding of the Virginia Supreme Court in the case of *Department of Corrections v. Surovell*, by setting out the general rule of redaction, which provides that no provision of FOIA is intended, nor shall it be construed or applied, to authorize a public body to withhold a public record in its entirety on the grounds that some portion of the public record is excluded from disclosure by FOIA or by any other provision of law. Further, the bill states that a public record may be withheld from disclosure in its entirety only to the extent that an exclusion from disclosure under FOIA or other provision of law applies to the entire content of the public record. Otherwise, only those portions of the public record containing information subject to an exclusion under FOIA or other provision of law may be withheld, and all portions of the public record that are not so excluded shall be disclosed. The bill also reverses that part of the holding of the Virginia Supreme Court in the case of *Department of Corrections v. Surovell* by providing that in a FOIA enforcement action, no court shall be required to accord any weight to the determination of a public body as to whether an exclusion applies. The bill contains technical amendments.

Status:

03/01/16 Senate: Governor's recommendation received by Senate

03/01/16 Senate: Governor's substitute printed 16105976D-S2

03/03/16 Senate: Impact statement from DPB (SB494S2)

03/03/16 Senate: Passed by for the day

03/04/16 Senate: Senate rejected Governor's recommendation (0-Y 38-N)

SB497 **Executive budget; zero-based budgeting principles.**

Chief Patron: Sturtevant

Summary:

Requires, beginning in the 2018-2020 biennium, that "The Executive Budget" and all "Executive Budgets" shall be prepared and formulated using zero-based budgeting principles. The bill requires that such zero-based budgets reflect the amount of funding deemed necessary to achieve the most cost-effective performance of each agency or department pursuant to an accompanying narrative delineating the tasks to be performed by each agency or department, together with the goals and objectives for each agency or department. Each such budget shall have a zero dollar amount as its initial basis and shall not reflect any prior appropriation amount, adjusted or otherwise.

Status:

01/12/16 Senate: Prefiled and ordered printed; offered 01/13/16 16100932D

01/12/16 Senate: Referred to Committee on Finance

01/19/16 Senate: Impact statement from DPB (SB497)

01/27/16 Senate: Passed by indefinitely in Finance (11-Y 4-N)

SB501 **Higher educational institutions; increases in-state tuition.**

Chief Patron: Sturtevant

Summary:

Prohibits, without the prior statutory approval of the General Assembly, any percent increase in in-state tuition or instructional fees for undergraduate students at Virginia's public institutions of higher education that exceeds twice the annual percent increase, as determined by the State Council for Higher Education, in the Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, from January 1 through December 31 of the year immediately preceding the affected year.

Status:

01/12/16 Senate: Referred to Committee on Education and Health

01/21/16 Senate: Assigned Education sub: Higher Education

01/28/16 Senate: Reported from Education and Health (15-Y 0-N)

01/28/16 Senate: Rereferred to Finance

02/09/16 Senate: Passed by indefinitely in Finance (15-Y 0-N)

SB503 [Higher educational institutions; fixed four-year tuition rate.](#)

Chief Patron: Sturtevant

Summary:

Requires the board of visitors of four-year public institutions of higher education to annually establish, for each of the following four years, an in-state tuition rate class cap that identifies the annual amount at which the cost of in-state tuition will not exceed. The bill prohibits the cost of in-state tuition from exceeding the class rate cap for an in-state student in the relevant class.

Status:

01/12/16 Senate: Prefiled and ordered printed; offered 01/13/16 16100938D

01/12/16 Senate: Referred to Committee on Education and Health

01/21/16 Senate: Impact statement from DPB (SB503)

01/21/16 Senate: Assigned Education sub: Higher Education

01/28/16 Senate: Passed by indefinitely in Education and Health (13-Y 2-N)

SB559 [Governor; performance review of state agencies, report.](#)

Chief Patron: Sturtevant

Summary:

Directs the Governor to initiate on July 1, 2016, and every two years thereafter, an operational and programmatic performance review of all state departments, agencies, and programs. The purpose of the review is to provide an objective and independent cost savings assessment of the Commonwealth's organizational structure and its programs in order to provide information to the Governor and the General Assembly to effect savings in expenditures, a reduction in duplication of effort, and programmatic efficiencies in the operation of state government. The bill provides that the review must be

conducted by a United States-based private management consulting firm with experience in conducting statewide performance reviews and provides for certain required terms for the consulting contract. The Governor shall submit a report to the General Assembly on the results of each review by December 1 of the year in which such review is conducted.

Status:

01/13/16 Senate: Referred to Committee on General Laws and Technology

01/25/16 Senate: Reported from General Laws and Technology (7-Y 6-N 1-A)

01/25/16 Senate: Rereferred to Finance

01/27/16 Senate: Impact statement from DPB (SB559)

02/02/16 Senate: Passed by indefinitely in Finance (15-Y 0-N)

SB561 [Certificates of public need.](#)

Chief Patron: Newman

Summary:

Creates a three-phase process to sunset certificate of public need requirements for many categories of medical care facilities and projects, with the requirement for a certificate of public need (i) for the establishment of a new imaging service or addition of new equipment for imaging services eliminated beginning July 1, 2016, for ambulatory and outpatient surgery centers eliminated beginning July 1, 2017, and (iii) for hospitals and all other categories of projects other than nursing homes and facilities and equipment for open heart surgery and organ or tissue transplant services eliminated beginning July 1, 2018. The bill also creates a new permitting process for categories of facilities and projects exempted from the certificate of public need process that requires the Commissioner of Health to issue a permit but allows the Commissioner to condition a permit (a) on the agreement of the applicant to provide a specified level of care at a reduced rate to indigents, accept patients requiring specialized care, or facilitate the development and operation of primary medical care services in designated medically underserved areas of the applicant's service area or (b) on compliance of the applicant with quality of care standards. The bill allows the Commissioner to refuse to issue a permit if he determines that the project for which the permit is sought would be detrimental to the provision of health services in underserved areas of the Commonwealth.

Status:

02/11/16 Senate: Incorporates SB398

02/11/16 Senate: Incorporates SB585

02/11/16 Senate: Incorporates SB777

02/11/16 Senate: Incorporates SB641

SB586 [Virginia Public Procurement Act; requirements for use of construction management.](#)

Companion Bill: HB887

Chief Patron: Ruff

Summary:

Restricts the use of construction management procurements by public bodies unless (i) the total project cost is \$50 million or more, (ii) a written determination is provided stating that competitive sealed bidding is not practicable or fiscally advantageous, (iii) the contract is entered into prior to the schematic phase of design, (iv) construction management experience is not required or considered as part of the award, (v) price is the primary determining factor for award of the contract, and (vi) proposers provide for the participation of small, women-owned, and minority-owned businesses in the project. The bill provides that for projects where the total project cost is not expected to exceed \$50 million, a public body may use competitive negotiation to procure construction on a construction management basis if (i) the above requirements are met; (ii) the project is (a) of substantial historical value or interest or (b) significantly unique or extremely complex in nature; (iii) prior to any solicitation for such project, the public body notifies in writing the Director of the Department of General Services in the case of state public bodies, or the local governing body in the case of a local public body, of its intent to procure construction on a construction management basis; and (iv) the Director of the Department of General Services or the local governing body, as the case may be, makes a finding that the public body is in compliance with the requirements of this subsection, which finding shall be on a per project basis and shall be in writing. The findings for state public bodies shall be made by the Director under existing regulations and guidelines established by the Department of General Services. In addition, the bill defines "public body" for the purposes of the use of construction management for construction to include (i) public institutions of higher education that have executed a valid management agreement under the Restructured Higher Education Financial and Administrative Operations Act of 2005 (§ 23-38.88 et seq.) and (ii) localities and school divisions that were previously exempt based on the adoption of alternative policies and procedures based on competitive principles and generally applicable to procurement of goods and services by the locality or school division.

Status:

01/13/16 Senate: Prefiled and ordered printed; offered 01/13/16 16103754D

01/13/16 Senate: Referred to Committee on General Laws and Technology

02/04/16 Senate: Impact statement from DPB (SB586)

02/05/16 Senate: Assigned GL&T sub: #2

02/15/16 Senate: Continued to 2017 in General Laws and Technology (15-Y 0-N)

SB599 [Virginia Electronic Communications Privacy Act; established, report.](#)

Companion Bill: HB1332

Chief Patron: Petersen

Summary:

Prohibits a state or local government agency from taking certain actions relating to access to electronic communication information from a service provider, access to electronic device information from any person other than the authorized possessor of the device, or access to electronic device information by means of physical interaction or electronic communication with the electronic device. Exceptions allow access to electronic communication information or access to electronic device information pursuant to a warrant or wiretap order or with the consent of the authorized possessor of the device. The measure establishes requirements for a warrant for electronic information. An agency that receives voluntarily-provided electronic communication information is required to destroy the information within 90 days unless, subject to certain exceptions. If an agency obtains electronic information pursuant to an emergency involving danger of death or serious physical injury to a person, that requires access to the electronic information without delay, it is required within three days to file an application for a warrant or order authorizing obtaining the electronic information or a motion seeking approval of the emergency disclosures. An agency that obtains electronic communication information is required to make an annual report to the Attorney General. The Attorney General's office is required to publish on its website the individual reports from each agency that requests or compels the production of contents or records pertaining to an electronic communication or location information and a summary of such information.

Status:

01/18/16 Senate: Rereferred to General Laws and Technology

01/25/16 Senate: Rereferred from General Laws and Technology (12-Y 0-N)

01/25/16 Senate: Rereferred to Courts of Justice

02/01/16 Senate: Impact statement from DPB (SB599)

02/08/16 Senate: Continued to 2017 in Courts of Justice (15-Y 0-N)

SB607 [Public employees; safety and health program.](#)

Chief Patron: Dance

Summary:

Directs the Commissioner of Labor and Industry or the Safety and Health Codes Board to adopt regulations for enforcing the occupational and health program applicable to employees of the Commonwealth, its agencies, institutions, political subdivisions, or any public body. The measure

provides that these regulations and procedures for enforcing the program shall include provisions for the issuance of proposed penalties, the payment of such penalties or a negotiated sum in lieu of such penalties, and the deposit of such payments into the general fund of the state treasury.

Status:

02/18/16 House: Read first time

02/18/16 House: Referred to Committee on Commerce and Labor

03/01/16 House: Reported from Commerce and Labor (15-Y 5-N)

03/03/16 House: Read second time

03/04/16 House: Passed by for the day

SB641 [Certificate of public need.](#)

Companion Bill: HB1083

Chief Patron: Stanley

Summary:

Makes changes to the Medical Care Facilities Certificate of Public Need Program. The bill (i) removes specialized centers or clinics or that portion of a physician's office developed for the provision of lithotripsy, magnetic source imaging (MSI), or nuclear medicine imaging from the list of reviewable medical care facilities; (ii) provides that establishment of a medical care facility to replace an existing medical care facility with the same primary service area does not constitute a project; (iii) removes introduction into an existing medical care facility of any new lithotripsy, magnetic source imaging, or obstetrical service that the facility has never provided or has not provided in the previous 12 months and addition by an existing medical care facility of any medical equipment for the provision of lithotripsy and magnetic source imaging (MSI) from the definition of project; (iv) creates a new process for registration of projects exempted from the definition of project by the bill; (v) establishes an expedited 45-day review process for applicants for projects determined to be uncontested or to present limited health planning impacts; (vi) renames the State Medical Facilities Plan as the State Health Services Plan and establishes a State Health Services Plan Advisory Council to provide recommendations related to the content of the State Health Services Plan; (vii) clarifies the content of the application for a certificate; and (viii) reduces the timeline for a person to be made party to the case for good cause from 80 calendar days to four days following completion of the review and submission of recommendations related to an application.

The bill also (a) directs the Department to develop recommendations to reduce the duration of the average review cycle for applications for certificates of public need to not more than 120 days and to report on its recommendations to the Governor and the General Assembly no later than December 1, 2016; (b) directs the Secretary of Health and Human Resources to review charity care services delivered throughout the Commonwealth and recommend changes to the definition of charity and to the types of charity care requirements imposed on various health care services and report to the Governor and the

General Assembly by December 1, 2016; (c) directs the Secretary of Health and Human Resources to convene a group of stakeholders to study and make recommendations related to the appropriate authority of the State Health Commissioner to impose additional conditions on certificates; (d) directs the Secretary of Health and Human Resources to implement a system to ensure that data needed to evaluate whether an application for a certificate is consistent with the State Health Services Plan is timely and reliable, to make all public records pertaining to applications for certificates and the review process available in real-time in a searchable, digital format online, to make an inventory of capacity authorized by certificates of public need, both operational and not yet operational, available in a digital format online, and to make charity care conditions, charity care compliance reporting status, and details on the exact amount of charity care provided or contributed and to whom it was provided or contributed available in a digital format online; (e) directs the Commissioner of Health to develop an analytical framework to guide the work of the State Health Services Plan Advisory Council; and (f) directs the Joint Commission on Health Care to develop specific recommendations for eliminating differences in the certificate of public need review process from one region to another and report on the recommendations to the Chairmen of the House Health, Welfare and Institutions and Senate Education and Health Committees by December 1, 2016.

Status:

01/18/16 Senate: Presented and ordered printed 16103753D

01/18/16 Senate: Referred to Committee on Education and Health

02/03/16 Senate: Impact statement from VDH (SB641)

02/05/16 Senate: Assigned Education sub: Health Professions

02/11/16 Senate: Incorporated by Education and Health (SB561-Newman) (15-Y 0-N)

SB692 [Conflicts of Interests Acts, State & Local Government & General Assembly, etc.; lobbyist reporting.](#)

Companion Bill: HB1362

Chief Patron: Norment

Summary:

Requires the disclosure forms filed by lobbyists and persons subject to the conflict of interests acts to be filed annually. Lobbyists are required to file by July 1 for the preceding 12-month period complete through the last day of April. Persons subject to the conflict of interests acts are required to file on or before January 15. The bill contains technical amendments to reflect the change in filing cycles. The bill also requires the Governor, Lieutenant Governor, Attorney General, members of the Governor's Cabinet, and members of the General Assembly to file on or before May 1 a separate report of gifts received during the regular session of the General Assembly. The bill also exempts from the definition of a gift the following: (i) any gift with a value of less than \$20; (ii) any food or beverage associated with an event that is accepted or received while in attendance at such event; (iii) any gift, including travel, from certain

nonpartisan legislative organizations to a legislator or an officer or employee of the legislative branch if the legislator, officer, or employee is a member of such organization by virtue of his office or employment; and (iv) any gift, including travel, from a charitable organization to a legislator or an officer or employee of the legislative branch if such organization has been approved by the Joint Rules Committee of the General Assembly to make gifts. The bill also prohibits the name of a legislative or executive official, or a member of his immediate family, who attends a reportable entertainment event from being disclosed by a principal if that official reimburses the principal for, or otherwise pays for, his attendance, or the attendance of a member of his immediate family, at the entertainment event. Reimbursement shall be calculated using the average value for each person attending the event. The bill also raises the threshold for what gifts need to be reported from \$50 to \$100. Finally, the bill provides that the orientation and refresher sessions conducted for members of the General Assembly by the Virginia Conflict of Interest and Ethics Advisory Council shall last no more than two hours. Under current law, the refresher session must last at least two hours and there is no durational requirement for the orientation session. This bill incorporates [SB 213](#), [SB 304](#), [SB 657](#), and [SB 738](#).

Status:

02/17/16 House: Assigned Courts sub: Ethics

02/29/16 House: Subcommittee recommends reporting with amendment(s) (9-Y 0-N)

03/02/16 House: Reported from Courts of Justice with substitute (22-Y 0-N)

03/02/16 House: Committee substitute printed 16105707D-H1

03/04/16 House: Read second time

SB731 [Capital outlay funding; issuance of bonds by VPBA & VCBA for certain projects & programs.](#)

Companion Bill: HB1344

Chief Patron: Hanger

Summary:

Authorizes the issuance of bonds by the Virginia Public Building Authority and the Virginia College Building Authority for certain projects and programs, and authorizes certain projects for pre-planning or detailed planning.

Status:

03/02/16 Senate: Senate acceded to request (40-Y 0-N)

03/02/16 Senate: Conferees appointed by Senate

03/02/16 Senate: Senators: Hanger, Norment, Saslaw

03/03/16 House: Conferees appointed by House

03/03/16 House: Delegates: Jones, Cox, Torian

SB753 [Tobacco Region Revitalization Commission; transfer of funds to Medicaid.](#)

Chief Patron: Edwards

Summary:

Repeals the enabling legislation of the Tobacco Region Revitalization Commission (the Commission) and directs that all funds in the Tobacco Indemnification and Community Revitalization Fund (the Fund), the Tobacco Indemnification and Community Revitalization Endowment, and the Virginia Tobacco Region Revolving Fund be transferred to the Commonwealth's Medicaid program. The bill also authorizes the Department of Medical Assistance Services to seek to recover any payments from the Fund that it determines were made incorrectly or erroneously by the Commission and directs the Auditor of Public Accounts to audit the accounts of the Commission.

Status:

01/22/16 Senate: Presented and ordered printed 16101704D

01/22/16 Senate: Referred to Committee on Finance

02/01/16 Senate: Impact statement from DPB (SB753)

02/02/16 Senate: Passed by indefinitely in Finance (11-Y 4-N)

SJ86 [Pay It Forward, Pay It Back; SCHEV to study feasibility of implementing.](#)

Chief Patron: Edwards

Summary:

Directs the State Council of Higher Education for Virginia to study the feasibility of implementing a "Pay It Forward, Pay It Back" higher education tuition financing model to increase access to educational opportunities and to decrease the debt burden on students in the Commonwealth. This resolution was continued to the 2017 Session of the General Assembly.

Status:

01/13/16 Senate: Prefiled and ordered printed; offered 01/13/16 16101845D

01/13/16 Senate: Referred to Committee on Rules

02/11/16 Senate: Continued to 2017 in Rules

SJ137 [Commending Brian O'Connor.](#)

Chief Patron: Deeds

Summary:

Status:

02/04/16 Senate: Engrossed by Senate

02/04/16 Senate: Agreed to by Senate by voice vote

02/05/16 House: Received

02/05/16 House: Laid on Speaker's table

02/12/16 House: Agreed to by House by voice vote

SR36 [Commending the University of Virginia baseball team.](#)

Chief Patron: Deeds

Summary:

Status:

01/29/16 Senate: Presented 16100087D

01/29/16 Senate: Laid on Clerk's Desk

02/04/16 Senate: Engrossed by Senate

02/04/16 Senate: Agreed to by Senate by voice vote