

Legislative Report
University of Virginia -- Office of State Governmental Relations
Wednesday, January 18, 2017

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HB1401 [Higher educational institutions; speech on campus.](#)

Chief Patron: Landes

Summary:

Prohibits public institutions of higher education from abridging the freedom of any individual, including enrolled students, faculty and other employees, and invited guests, to speak on campus, except as otherwise permitted by the First Amendment to the United States Constitution.

Status:

09/02/16 House: Prefiled and ordered printed; offered 01/11/17 17100215D

09/02/16 House: Referred to Committee for Courts of Justice

HB1402 [Higher educational institutions; governing boards, residency.](#)

Companion Bill: SB907

Chief Patron: Landes

Summary:

Requires each chairman, vice-chairman, rector, and vice-rector of the governing board of a public institution of higher education and each chairman and vice-chairman of each committee of the governing board of a public institution of higher education to be a resident of the Commonwealth.

Status:

09/02/16 House: Prefiled and ordered printed; offered 01/11/17 17100216D

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

HB1410 [Educational institutions, certain; designation of governing boards.](#)

Chief Patron: Albo

Summary:

Renames as boards of trustees the boards of visitors of certain educational institutions in the Commonwealth, including baccalaureate public institutions of higher education. The bill prohibits public institutions of higher education from using (i) tuition revenue from any Virginia student to provide financial assistance to any Virginia student or non-Virginia student and (ii) more than five percent of tuition revenue from non-Virginia students to provide financial assistance to non-Virginia students. The bill also requires the governing board of each public institution of higher education, except the Virginia Military Institute, Norfolk State University, and Virginia State University, to ensure that at least 75 percent of the undergraduate students enrolled at the institution have established domicile in the Commonwealth. The bill requires the governing boards of public institutions that do not meet such 75 percent threshold to submit to the State Council of Higher Education for Virginia a plan to incrementally

increase enrolled undergraduate Virginia students each academic year to ensure compliance no later than the 2020-2021 academic year.

Status:

10/06/16 House: Prefiled and ordered printed; offered 01/11/17 17100269D

10/06/16 House: Referred to Committee on Education

01/13/17 House: Assigned Education sub: Higher Education

HB1447 Higher educational institutions; establishment of substance abuse recovery housing program.

Chief Patron: Miyares

Summary:

Requires, by July 1, 2021, certain baccalaureate public institutions of higher education to establish a substance abuse recovery housing program to provide recovering students with a substance-free dormitory environment and appropriate support services. The bill allows participating institutions to designate a portion of a dormitory, and states that no participating institution shall be required to designate an entire dormitory, for such program.

Status:

12/01/16 House: Prefiled and ordered printed; offered 01/11/17 17100569D

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

01/13/17 House: Assigned Education sub: Higher Education

01/16/17 House: Impact statement from DPB (HB1447)

HB1452 Higher educational institutions; graduation requirements, course in Western civilization, etc.

Chief Patron: Miyares

Summary:

Requires each student at each public institution of higher education in the Commonwealth to complete a three credit hour course in Western civilization or U.S. history. The bill exempts from such requirement any student who has received a score of 4 or better on an Advanced Placement examination in U.S. history.

Status:

12/02/16 House: Prefiled and ordered printed; offered 01/11/17 17100842D

12/02/16 House: Referred to Committee on Education

01/12/17 House: Impact statement from DPB (HB1452)

01/13/17 House: Assigned Education sub: Higher Education

HB1500 [Budget Bill.](#)

Companion Bill: SB900

Chief Patron: Jones

Summary:

Amends Chapter 780, 2016 Acts of Assembly.

Status:

12/16/16 House: Prefiled and ordered printed; offered 01/11/17 17103276D

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

HB1539 [Virginia Freedom of Information Act; public access to records of public bodies.](#)

Chief Patron: LeMunyon

Summary:

Clarifies the definition of public record. The bill also (i) defines "personal contact information" that is excluded from FOIA's mandatory disclosure provisions in certain cases; (ii) clarifies that a requester has the right to inspect records or receive copies at his option; (iii) clarifies language in certain record exclusions under FOIA that certain records may be disclosed at the discretion of the custodian; (iv) consolidates the personnel record exclusion with the limitation on the application of that exclusion, and specifically clarifies that the name, in addition to position, job classification, and salary, of a public employee is public information as per opinions of the Attorney General and the FOIA Council; (v) eliminates, effective July 1, 2018, the exclusion for the Alcoholic Beverage Control Authority relating to operating and marketing strategies; (vi) eliminates the exclusion for correspondence of local officials as unnecessary; (vii) consolidates various public safety exclusions relating to building plans and drawings and critical infrastructure into a single exclusion; (viii) eliminates the exclusion for administrative investigations of the Department of Human Resource Management, as the exclusion is already covered under the personnel records exclusion; (ix) expands the exclusion for personal information provided to the Virginia College Savings Plan to cover qualified beneficiaries, designated survivors, and authorized individuals, which terms are defined in the bill; (x) consolidates the various record exclusions for the Department of Health Professions and the Department of Health into single exclusions for each Department; (xi) clarifies certain Department of Social Services exclusions; (xii) provides an exclusion for local finance boards that provide postemployment benefits other than pensions; and (xiii) eliminates the record exclusion for Virginia Wildlife Magazine. The bill also eliminates the correspondence exclusion for certain state and local officials. The bill contains numerous technical amendments. This bill is a recommendation of the Freedom of Information Advisory Council pursuant to the [HJR 96](#) FOIA study (2014-2016).

Status:

12/27/16 House: Prefiled and ordered printed; offered 01/11/17 17100968D
12/27/16 House: Referred to Committee on General Laws
01/11/17 House: Assigned GL sub: Subcommittee #2
01/12/17 House: Impact statement from DHCD (HB1539)

HB1555 [Agency directors; human resources training and succession planning.](#)

Chief Patron: Ware

Summary:

Directs the Department of Human Resource Management to administer training programs to familiarize agency directors with state human resource policies, such as compensation management, benefits administration, and resources available at the Department. The bill requires agency directors to attend a training program within six months after appointment and thereafter at least once every four years. The bill requires agencies to develop and submit annually to the Department an agency succession plan for key personnel, executive positions, and employees nearing retirement.

Status:

12/29/16 House: Prefiled and ordered printed; offered 01/11/17 17103358D
12/29/16 House: Referred to Committee on General Laws
01/11/17 House: Assigned GL sub: Subcommittee #4

HB1612 [Physical Privacy Act; created.](#)

Chief Patron: Marshall, R.G.

Summary:

Creates the Physical Privacy Act, which requires that a government entity provide for members of the opposite sex separate restrooms and other facilities in a building owned, leased, or otherwise controlled by the entity. The bill provides that, subject to certain exceptions, no individual shall enter a restroom or other facility designated for use by members of the opposite sex. The bill creates a civil cause of action against a government entity for an individual who accesses a restroom or other facility designated for use by members of such individual's sex and encounters a member of the opposite sex if the government entity allowed the member of the opposite sex to use such restroom or other facility or failed to take reasonable steps to prohibit such use. The bill also requires that the principal of a public school notify within 24 hours the parent or guardian of a child attending such school if the child requests to be recognized or treated as the opposite sex, to use a name or pronoun inconsistent with the child's sex, or to use a restroom or other facility designated for the opposite sex.

Status:

01/03/17 House: Prefiled and ordered printed; offered 01/11/17 17103140D
01/03/17 House: Referred to Committee on General Laws
01/16/17 House: Assigned GL sub: Subcommittee #4

HB1662 Public institutions of higher education; course credit; dual enrollment courses.

Chief Patron: Greason

Summary:

Requires the State Council of Higher Education for Virginia (SCHEV), in consultation with the governing board of each public institution of higher education, to establish a policy for granting undergraduate course credit to any entering freshman student who has successfully completed a dual enrollment course at a comprehensive community college pursuant to an agreement for postsecondary degree attainment. The bill requires SCHEV and each public institution of higher education to make the policy available to the public on their websites.

Status:

01/05/17 House: Prefiled and ordered printed; offered 01/11/17 17101319D
01/05/17 House: Referred to Committee on Education
01/13/17 House: Assigned Education sub: Higher Education
01/17/17 House: Impact statement from DPB (HB1662)

HB1667 Public contracts; civil liability; gender identity; sexual orientation.

Chief Patron: Marshall, R.G.

Summary:

Prohibits agencies of the Commonwealth and other public bodies from requiring any contractor entering into a public contract to agree to additional nondiscrimination provisions with respect to gender identity or sexual orientation. The bill also provides civil immunity for any business or nonprofit organization that does not provide any benefit or accommodation with respect to gender identity or sexual orientation.

Status:

01/05/17 House: Prefiled and ordered printed; offered 01/11/17 17103144D
01/05/17 House: Referred to Committee on General Laws
01/11/17 House: Assigned GL sub: Subcommittee #2

HB1825 Right to resell tickets; civil penalty.

Companion Bill: SB1425

Chief Patron: Albo

Summary:

Prohibits any person that issues tickets for admission to any sporting event, theatrical production,

lecture, motion picture screening, or any other event open to the public for which tickets are ordinarily sold from issuing the ticket solely through a delivery method that substantially prevents the ticket purchaser from lawfully reselling the ticket on the Internet ticketing platform of the ticket purchaser's choice. The measure also prohibits a person from being penalized, discriminated against, or denied admission to an event solely on the basis that the person resold a ticket, or purchased a resold ticket, on a specific Internet ticketing platform. A person violating these prohibitions is subject to a civil penalty of not less than \$5,000 nor more than \$15,000.

Status:

01/09/17 House: Prefiled and ordered printed; offered 01/11/17 17101115D

01/09/17 House: Referred to Committee on Commerce and Labor

HB1842 [Alcoholic beverage control; neutral grain spirits or alcohol sold at government stores; proof.](#)

Chief Patron: Knight

Summary:

Increases from 101 to 151 the proof of neutral grain spirits or alcohol that is without distinctive character, aroma, taste, or color that may be sold at government stores. The provisions of the bill will expire on July 1, 2022.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17101080D

01/10/17 House: Referred to Committee on General Laws

01/16/17 House: Assigned GL sub: Subcommittee #3

01/17/17 House: Subcommittee recommends reporting (6-Y 0-N)

HB1857 [In-state tuition; eligibility, certain individuals who have applied for permanent residency, etc.](#)

Chief Patron: Lopez

Summary:

Declares eligible for in-state tuition any individual who (i) attended a public or private high school in the Commonwealth for at least three years; (ii) graduated from a public or private high school in the Commonwealth or passed a high school equivalency examination approved by the Board of Education; (iii) registers as an entering student or is enrolled in a public institution of higher education; (iv) provides an affidavit to the public institution of higher education in which he has registered as an entering student or is enrolled stating that he has filed an application to become a permanent resident of the United States and is actively pursuing such permanent residency or will do so as soon as he becomes eligible for such permanent residency; and (v) submits evidence to the institution at which he has registered as an entering student or is enrolled that he, or in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis, has filed, unless exempted by state law, Virginia income tax

returns for at least three years prior to the date of registration as an entering student or enrollment. The bill provides that any such individual shall remain eligible for in-state tuition for as long as he maintains continuous enrollment in the public institution of higher education and his application for permanent residency has not been denied. The bill also prohibits any student who became eligible for in-state tuition as a result of his lawful presence in the United States pursuant to approval under the Deferred Action for Childhood Arrivals program or any other federal deferred action program from being deemed ineligible for in-state tuition by virtue of the elimination or modification of any such program.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17103745D
01/10/17 House: Referred to Committee on Education

HB1876 [Virginia Freedom of Information Act; public access to library records of minors.](#)

Chief Patron: Pogge

Summary:

Excludes 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 library patron.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17101865D
01/10/17 House: Referred to Committee on General Laws
01/16/17 House: Assigned GL sub: Subcommittee #2

HB1886 [Higher educational institutions, public; admission of certain undergraduate students.](#)

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 the Commonwealth. The bill requires each such governing board to recover any lost revenue caused by this requirement by increasing the tuition charged to undergraduate non-Virginia students. The bill requires compliance with such requirements and policies beginning no later than June 30, 2022.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17101459D
01/10/17 House: Referred to Committee on Education

HB1887 [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:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17101731D

01/10/17 House: Referred to Committee on Education

HB1892 [Higher educational institutions, public; independent audit.](#)

Chief Patron: Miyares

Summary:

Requires the governing board of each public institution of higher education to submit the annual financial statements for the fiscal year ending the preceding June 30 and the accounts and status of any ongoing capital projects to a certified public accounting firm for the independent audit of such statements at the expense of the institution.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17100810D

01/10/17 House: Referred to Committee on Education

HB1895 [Virginia Student Loan Refinancing Authority; established, refinancing loan guaranty program.](#)

Companion Bill: SB1036

Chief Patron: Price

Summary:

Establishes the Virginia Student Loan Refinancing Authority (the Authority), to be governed by a 10-member board, for the purpose of developing and implementing a program by which the Authority may

guarantee the obligations of an individual who incurred qualified education loan debt as a Virginia student at an institution of higher education in the Commonwealth under loans that refinance such education loan debt. The measure limits eligibility to individuals who have not received, and are not eligible to receive, relief under applicable federal student loan repayment or loan forgiveness programs. The Authority is authorized to issue bonds to finance its obligations under such loan guarantees.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17101352D

01/10/17 House: Referred to Committee on Appropriations

01/13/17 House: Assigned App. sub: Higher Education

HB1911 [Higher educational institutions, public; resident assistants training in mental health.](#)

Chief Patron: Yost

Summary:

Each resident assistant in a student housing facility at a public institution of higher education shall participate in mental health first aid training prior to the commencement of his duties.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17101481D

01/10/17 House: Referred to Committee on Education

01/13/17 House: Impact statement from DPB (HB1911)

HB1916 [Virginia Student Loan Authority; established, report.](#)

Chief Patron: Simon

Summary:

Establishes the Virginia Student Loan Authority, to be governed by a 10-member board, for the purpose of developing and implementing a program by which (i) each individual who incurred qualified education loan debt as a Virginia student at a public institution of higher education or private institution of higher education 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, and (ii) each Virginia student 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 direct qualified education loan from the Authority to attend a public institution of higher education or private institution of higher education.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17103557D

01/10/17 House: Referred to Committee on Appropriations

01/13/17 House: Assigned App. sub: Higher Education

HB2001 [Higher educational institutions; immigration enforcement.](#)

Chief Patron: Poindexter

Summary:

Requires the governing board and each employee of each public institution of higher education to cooperate in the enforcement of federal law by U.S. Customs and Immigration Enforcement on the institution's campus, in any noncampus building or property, and on public property, as such terms are defined in relevant state law.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17102603D

01/10/17 House: Referred to Committee on Education

HB2004 [Higher educational institutions, public; annual executive summary.](#)

Chief Patron: Poindexter

Summary:

Requires the annual executive summary submitted by the governing board of each public institution of higher education to the General Assembly and the Governor to indicate the number of undergraduate students enrolled full time who are not citizens of the United States and the number of such students who receive annual financial assistance to attend such institution in an amount greater than 25 percent of the total annual cost of full-time undergraduate Virginia student tuition and room and board.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17102646D

01/10/17 House: Referred to Committee on Education

01/17/17 House: Impact statement from DPB (HB2004)

HB2006 [Va. Fair Housing Law; responsibilities with respect to use of an assistance animal in a dwelling.](#)

Companion Bill: SB1228

Chief Patron: Carr

Summary:

Sets out the rights and responsibilities under the Virginia Fair Housing Law (§ 36-96.1 et seq.) with respect to maintaining an assistance animal in a dwelling. The bill establishes a process for the review and approval or denial of a request from a person with a disability for reasonable accommodation to maintain an assistance animal in such person's dwelling. Under the bill, whenever a request for a reasonable accommodation to maintain an assistance animal in a dwelling is denied for reasons other than that the requester does not have (i) a disability or (ii) a disability-related need for an assistance animal, the person who receives the request shall initiate an interactive process with the individual requesting accommodation to determine if there is an alternative accommodation that would effectively address the disability-related need. The bill removes language providing that the terms "individual with a handicap" nor the term "handicap" do not apply to an individual solely because that individual is a transvestite. The bill also defines assistance animal, major life activities, and physical or mental impairment. This bill is a recommendation of the Virginia Housing Commission.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17103597D
01/10/17 House: Referred to Committee on General Laws
01/16/17 House: Assigned GL sub: Subcommittee #1
01/16/17 House: Impact statement from DPB (HB2006)
01/17/17 House: Subcommittee recommends reporting (7-Y 0-N)

HB2011 [Discrimination; separation of the sexes.](#)

Chief Patron: Marshall, R.G.

Summary:

Provides that recognition by any entity of the inherent differences between males and females, including the biological characteristics or qualities that distinguish an individual as either male or female as determined at birth, and the mere separation of the sexes by such entity based on such differences shall not constitute discrimination, provided that such separation is consistent with Article I, Section 11 of the Constitution of Virginia. The bill also provides that any local ordinance that likewise recognizes such inherent differences does not constitute discrimination. The bill permits local school boards to enact policies prohibiting discrimination in education based on race, color, religion, sex, pregnancy, childbirth or related medical conditions, national origin, age, marital status, or disability, provided that a policy that recognizes the inherent differences between males and females and the mere separation of the sexes by such policy based on such differences shall not constitute discrimination, provided that such separation is consistent with Article I, Section 11 of the Constitution of Virginia.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17103143D
01/10/17 House: Referred to Committee on General Laws
01/13/17 House: Impact statement from DHCD (HB2011)
01/16/17 House: Assigned GL sub: Subcommittee #4

HB2109 [Persons with disabilities; expands definition of 'service dog.'](#)

Chief Patron: Kory

Summary:

Expands the definition of "service dog" to include dogs trained to assist persons with a disability by providing (i) therapeutic contact to help with depression, anxiety, or certain phobias, or to improve physical or cognitive functioning, or (ii) emotional support, well-being, comfort, or companionship.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17102344D
01/10/17 House: Referred to Committee on Health, Welfare and Institutions
01/13/17 House: Impact statement from DPB (HB2109)
01/17/17 House: Assigned HWI sub: Subcommittee #3

HB2146 [Freedom of Information Advisory Council; online public comment form.](#)

Chief Patron: LeMunyon

Summary:

Requires the Freedom of Information Advisory Council to develop an online public comment form to be posted on its official public government website to enable any requester to comment on the quality of assistance provided to the requester by a public body. The bill also requires all state public bodies subject to the provisions of FOIA and any county or city, and any town with a population of more than 250, to post a link on its official public government website to the online public comment form.

Status:

01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17101141D
01/11/17 House: Referred to Committee on General Laws
01/16/17 House: Assigned GL sub: Subcommittee #2

HB2171 [Higher educational institutions, public; use of investment fund earnings.](#)

Chief Patron: Massie

Summary:

Requires the governing board of each public institution of higher education to indicate in its biennial six-year plan the status and planned use of any institution investment fund earnings for the six-year period.

Status:

01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17102678D
01/11/17 House: Referred to Committee on Education

01/17/17 House: Impact statement from DPB (HB2171)

HB2214 [Transportation, Department of, and University of Virginia; use agreement.](#)

Chief Patron: Toscano

Summary:

Authorizes a use agreement between the Department of Transportation and the University of Virginia to permit the Department of Transportation use of the Shelburne Building on the University of Virginia Charlottesville campus for a period not to exceed 50 years.

Status:

01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17102161D

01/11/17 House: Referred to Committee on Transportation

01/17/17 House: Assigned Transportation sub: Subcommittee #4

HB2223 [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 and requires that the public comment periods be noticed on the public body's agenda. The bill permits the public body to have discretion in where it places the public comment period on its agenda and permits the public body to adopt reasonable rules governing the public comment portion of the meeting, including imposing reasonable restrictions on time, place, and manner. The bill requires that for meetings of all public bodies, not just those state public bodies on which there is at least one member appointed by the Governor as in current law, the notice provided for any such meeting include a statement as to approximately at what point during the meeting public comment will be received.

Status:

01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17103756D

01/11/17 House: Referred to Committee on General Laws

01/16/17 House: Assigned GL sub: Subcommittee #2

HB2245 [Virginia Research Investment Committee; expands role of Committee.](#)

Companion Bill: SB1371

Chief Patron: Jones

Summary:

Expands the role of the Virginia Research Investment Committee (the Committee) to include, in addition

to awarding grants and loans from the Virginia Research Investment Fund, providing guidance and coordination in the use of public funds to support research and commercialization efforts throughout the Commonwealth. The bill moves responsibility for the development of the Commonwealth Research and Technology Strategic Roadmap from the Center for Innovative Technology to the Committee.

The bill also clarifies that the exemption from mandatory disclosure of records under the Freedom of Information Act by applicants for grants and loans from the Committee applies to certain financial records, trade secrets, and research-related information. The bill requires an applicant seeking to invoke the protections of the exemption to submit a written request to the Committee identifying the records or data for which protection is sought and stating the reason why protection is necessary. The exemption would also apply to documents prepared exclusively for the application review by the Committee, its staff, or a reviewing entity conducting a scientific review at the request of the Committee. The closed meeting exemption would also be amended to include interviews of applicants by the Committee or a reviewing entity conducting a scientific review.

The bill contains technical amendments.

Status:

01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17101602D

01/11/17 House: Referred to Committee on General Laws

HB2248 [Capital outlay plan; revises six-year plan for projects.](#)

Companion Bill: SB1045

Chief Patron: Jones

Summary:

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

Status:

01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17102172D

01/11/17 House: Referred to Committee on Appropriations

01/16/17 House: Assigned App. sub: General Government & Capital Outlay

HB2260 [Baccalaureate public higher education institutions; to employ a full-time ombudsmen.](#)

Chief Patron: Villanueva

Summary:

Requires each baccalaureate public institution of higher education in the Commonwealth to employ a full-time ombudsman to provide confidential and independent assistance to faculty, staff, and students in

resolving complaints, conflicts, disputes, and other problems.

Status:

01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17102552D

01/11/17 House: Referred to Committee on Privileges and Elections

HB2262 [Online Virginia Network Authority; established.](#)

Chief Patron: Cox

Summary:

Establishes the Online Virginia Network Authority (the Authority) as an educational institution in the Commonwealth to act as the coordinating and administering entity for the delivery of each online course, degree program, and credential program offered by a public institution of higher education or a consortium of public institutions of higher education in the Commonwealth. The bill requires the Authority to be governed by a 17-member board that consists of six members of the House of Delegates appointed by the Speaker of the House of Delegates, four members of the Senate appointed by the Senate Committee on Rules, three nonlegislative citizen members appointed by the Governor, two nonlegislative citizen members appointed by the board of visitors of George Mason University, and two nonlegislative citizen members appointed by the board of visitors of Old Dominion University. The bill sets forth the duties of the Authority, including determining tuition and fee rates and establishing a seamless enrollment and course scheduling infrastructure. The bill grants the Authority operational flexibility in the areas of procurement and information technology, provided that the Authority adopts and complies with certain policies.

Status:

01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17100631D

01/11/17 House: Referred to Committee on Appropriations

01/16/17 House: Assigned App. sub: Higher Education

HB2337 [Certificates of public need.](#)

Chief Patron: O'Bannon

Summary:

Creates a two-phase process to sunset certificate of public need (COPN) requirements for many categories of medical care facilities and projects, with the requirement for a certificate of public need (i) for all medical care facilities other than nursing homes, rehabilitation hospitals and beds, imaging centers, organ or tissue transplant services, certain open heart surgery services, certain neonatal services, and certain medical care facilities located in a locality with a population density of at least 200 people per square mile as reported by the United States Bureau of the Census in the 2010 census report that is contiguous with at least one other locality with such population density, or has a population of at least 75,000 people repealed effective July 1, 2017, and (ii) imaging centers repealed effective January 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 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. The bill contains technical amendments.

Status:

01/13/17 House: Presented and ordered printed 17103865D

01/13/17 House: Referred to Committee on Health, Welfare and Institutions

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

HB2366 [Virginia Public Procurement Act; requirements for use of construction management contracts.](#)

Companion Bill: SB1334

Chief Patron: Albo

Summary:

Restricts the use of construction management procurements by public bodies unless (i) the total estimated contract value is \$40 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) prior alternative procurement method experience is not required as a prerequisite for an award, and (v) price is the primary determining factor for award of the contract. The bill provides that for projects where the total estimated contract value is not expected to exceed \$40 million, a public body may use competitive negotiation to procure construction on a construction management basis if the above requirements are met and the project is of substantial historical value or significantly unique or complex in nature. In addition, public bodies seeking to use construction management for projects where the total estimated contract value is not expected to exceed \$40 million must also obtain a written finding of compliance from the local governing body for local public bodies, from the Director of the Department of General Services for certain state public bodies, and from the respective contracting officer for public institutions of higher education designated with Tier 3 procurement authority. The bill also (i) establishes a procedure to appeal a public body's determination to procure construction on a construction management basis, (ii) prohibits combining multiple construction projects for the purpose of exceeding the \$40 million threshold, (iii) requires public bodies to make available to the public, after award, all prequalification score sheets, award score sheets, and selection information for each project, (iv) establishes reporting requirements regarding the use of construction management by state public bodies, (v) directs the Auditor of Public Accounts to include, as part of his annual audit plan, a determination regarding whether a public institution of higher education designated with Tier 3 procurement authority is in compliance with the institution's internal review process in the selection of procurement method for construction, and (vi) requires all state public bodies to post on the central electronic procurement website of the Department of General Services approved projects and approved procurement methods for construction at least 30 days prior to soliciting

for design services for such construction projects.

Status:

01/16/17 House: Presented and ordered printed 17103910D

01/16/17 House: Referred to Committee on General Laws

HJ585 **[Study; State Council of Higher Ed; rates of in-state and out-of-state undergraduate admissions.](#)**

Chief Patron: Rasoul

Summary:

Requests the State Council of Higher Education for Virginia to study rates of in-state and out-of-state undergraduate student admissions and enrollment at public institutions of higher education in the Commonwealth and in each other state and to report its findings to the General Assembly no later than the first day of the 2018 Regular Session of the General Assembly.

Status:

01/04/17 House: Prefiled and ordered printed; offered 01/11/17 17100285D

01/04/17 House: Referred to Committee on Rules

01/12/17 House: Assigned Rules sub: Studies

HJ611 **[Study; State Council of Higher Ed. for Va; applied baccalaureate degrees at community colleges.](#)**

Companion Bill: SJ254

Chief Patron: Marshall, D.W.

Summary:

Requests that the State Council of Higher Education for Virginia study the feasibility and benefits of comprehensive community colleges offering applied baccalaureate degrees by analyzing and making recommendations on (i) the affordability of obtaining an applied baccalaureate degree at a comprehensive community college as compared to a baccalaureate public institution of higher education, including the extent to which obtaining an applied baccalaureate degree at a comprehensive community college would reduce college debt; (ii) the feasibility and benefits of higher education centers on comprehensive community college campuses; (iii) the feasibility and benefits of joint degree programs between comprehensive community colleges and baccalaureate public institutions of higher education that are offered on community college campuses; (iv) the feasibility and benefits of offering applied baccalaureate degrees in engineering and information technology at Danville Community College and Patrick Henry Community College; (v) applied baccalaureate degrees that could be offered at Danville Community College, Patrick Henry Community College, or other comprehensive community colleges in addition to applied baccalaureate degrees in engineering and information technology; and (vi) options for residents in rural parts of the Commonwealth to earn applied baccalaureate degrees.

Status:

01/06/17 House: Prefiled and ordered printed; offered 01/11/17 17102520D
01/06/17 House: Referred to Committee on Rules
01/12/17 House: Assigned Rules sub: Studies

HJ684 [Commending Robert C. Vaughan III.](#)

Chief Patron: Toscano

Summary:

Commending Robert C. Vaughan III.

Status:

01/11/17 House: Engrossed by House
01/11/17 House: Agreed to by House by voice vote
01/11/17 Senate: Received
01/11/17 Senate: Laid on Clerk's Desk
01/12/17 Senate: Agreed to by Senate by voice vote

SB803 [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:

10/10/16 Senate: Prefiled and ordered printed; offered 01/11/17 17100428D
10/10/16 Senate: Referred to Committee on General Laws and Technology
01/16/17 Senate: Impact statement from DPB (SB803)
01/16/17 Senate: Reported from General Laws and Technology (12-Y 1-N 1-A)
01/16/17 Senate: Rereferred to Finance

SB834 [Governor; efficiency and effectiveness review and assessment of state](#)

[departments, agencies, etc.](#)

Chief Patron: Sturtevant

Summary:

Directs the Governor to establish an ongoing operational and programmatic efficiency and effectiveness review and assessment of all state departments, agencies, and programs to coincide with alternating biennial state budget cycles. The bill schedules one-half of all state departments, agencies, and programs to be reviewed in each biennial budget cycle. The purpose of the review and assessment 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 requires that the review and assessment 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 bill requires the Governor to submit a report to the General Assembly on the results of each review and assessment by December 1 of the year in which such review is conducted.

Status:

11/15/16 Senate: Prefiled and ordered printed; offered 01/11/17 17101008D
11/15/16 Senate: Referred to Committee on General Laws and Technology
01/16/17 Senate: Reported from General Laws and Technology (14-Y 0-N)
01/16/17 Senate: Rereferred to Finance

SB900 [Budget Bill.](#)

Companion Bill: HB1500

Chief Patron: Norment

Summary:

Amends Chapter 780, 2016 Acts of Assembly.

Status:

12/16/16 Senate: Prefiled and ordered printed; offered 01/11/17 17103277D
12/16/16 Senate: Referred to Committee on Finance

SB907 [Governing boards of public institutions of higher education; leadership; residency.](#)

Companion Bill: HB1402

Chief Patron: Surovell

Summary:

Requires each chairman, vice-chairman, rector, and vice-rector of the governing board of a public institution of higher education and each chairman and vice-chairman of each committee of the governing board of a public institution of higher education to be a resident of the Commonwealth.

Status:

12/26/16 Senate: Prefiled and ordered printed; offered 01/11/17 17102300D

12/26/16 Senate: Referred to Committee on Education and Health

SB914 [Reduction of amount of lien for medical services paid for by the Commonwealth.](#)

Chief Patron: Edwards

Summary:

Provides that in the event that the Commonwealth's lien against any recovery from a third party obtained by an injured person whose medical costs were paid in whole or in part by the Commonwealth is compromised by the Attorney General pursuant to § 2.2-514, such lien shall be reduced by an amount proportionate to the amount that costs, expenses, and attorney fees incurred by the injured person bear to the total recovery obtained from the third party.

Status:

12/27/16 Senate: Prefiled and ordered printed; offered 01/11/17 17100353D

12/27/16 Senate: Referred to Committee for Courts of Justice

SB931 [Va Freedom of Information Act; working papers and correspondence exempt.for presidents of higher ed.](#)

Chief Patron: Petersen

Summary:

Eliminates the working papers and correspondence record exemption for the president or other chief executive officer of any public institution of higher education in Virginia. The bill contains a technical amendment.

Status:

12/27/16 Senate: Prefiled and ordered printed; offered 01/11/17 17102927D

12/27/16 Senate: Referred to Committee on General Laws and Technology

01/17/17 Senate: Assigned GL&T sub: #1

SB952 [False statements to members of the General Assembly; state employees](#)

and appointees.

Chief Patron: DeSteph

Summary:

Provides that any state employee or person serving in an appointed position who knowingly and willfully makes any materially false statement or representation to a member of the General Assembly who is in the course of conducting an inquiry or investigation in his official capacity or on behalf of any committee or subcommittee of the Senate or House of Delegates is guilty of a Class 1 misdemeanor. The bill defines "state employee" and "appointed position."

Status:

12/31/16 Senate: Prefiled and ordered printed; offered 01/11/17 17102019D

12/31/16 Senate: Referred to Committee on Rules

01/10/17 Senate: Impact statement from DPB (SB952)

SB955 Certain educational institutions; designation of governing boards.

Chief Patron: DeSteph

Summary:

Renames as boards of trustees the boards of visitors of certain educational institutions in the Commonwealth, including baccalaureate public institutions of higher education.

Status:

01/02/17 Senate: Prefiled and ordered printed; offered 01/11/17 17100583D

01/02/17 Senate: Referred to Committee on Education and Health

01/13/17 Senate: Impact statement from DPB (SB955)

SB972 Requests for information by members of the General Assembly; responses not subject to redaction.

Chief Patron: DeSteph

Summary:

Requires all departments, agencies, and institutions of the Commonwealth and staff and employees thereof to respond to a request for information made by a member of the General Assembly. The bill further provides that notwithstanding the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), a response to a request for information made by a member of the General Assembly shall not be subject to redaction.

Status:

01/03/17 Senate: Prefiled and ordered printed; offered 01/11/17 17100582D

01/03/17 Senate: Referred to Committee on Rules

SB985 [Higher education; in-state tuition.](#)

Chief Patron: DeSteph

Summary:

Prohibits any percentage increase in in-state tuition or instructional fees for undergraduate students at Virginia's public institutions of higher education that exceeds the annual percentage increase, as determined by the State Council of Higher Education for Virginia, 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:

01/03/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102858D

01/03/17 Senate: Referred to Committee on Education and Health

SB986 [Higher education; in-state tuition.](#)

Chief Patron: DeSteph

Summary:

Prohibits any percentage increase in in-state tuition or instructional fees for undergraduate students at Virginia's public institutions of higher education that exceeds the annual percentage increase, as determined by the State Council of Higher Education for Virginia, in the national average wage index as defined in § 209(k)(1) of the Social Security Act, 42 U.S.C. 409(k)(1), of the calendar year immediately preceding the affected year.

Status:

01/03/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102860D

01/03/17 Senate: Referred to Committee on Education and Health

SB987 [Higher education; in-state tuition.](#)

Chief Patron: DeSteph

Summary:

Prohibits any percentage increase in in-state tuition or instructional fees for undergraduate students at Virginia's public institutions of higher education that exceeds the annual percentage increase, as determined by the State Council of Higher Education for Virginia, of the median household income in the Commonwealth established by the U.S. Department of Housing and Urban Development, of the calendar year immediately preceding the affected year.

Status:

01/03/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102861D

01/03/17 Senate: Referred to Committee on Education and Health

SB1036 [Virginia Student Loan Refinancing Authority; refinancing loan guaranty program.](#)

Companion Bill: HB1895

Chief Patron: Howell

Summary:

Establishes the Virginia Student Loan Refinancing Authority (the Authority), to be governed by a 10-member board, for the purpose of developing and implementing a program by which the Authority may guarantee the obligations of an individual who incurred qualified education loan debt as a Virginia student at an institution of higher education in the Commonwealth under loans that refinance such education loan debt. The Authority is authorized to issue bonds to finance its obligations under such loan guarantees.

Status:

01/04/17 Senate: Prefiled and ordered printed; offered 01/11/17 17101926D

01/04/17 Senate: Referred to Committee on Education and Health

SB1045 [Capital outlay plan.](#)

Companion Bill: HB2248

Chief Patron: Hanger

Summary:

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

Status:

01/05/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102171D

01/05/17 Senate: Referred to Committee on Finance

SB1087 [Higher education; in-state tuition.](#)

Chief Patron: Sturtevant

Summary:

Prohibits, without the prior statutory approval of the General Assembly, any percentage increase in in-state tuition or instructional fees for undergraduate students at Virginia's public institutions of higher education that exceeds twice the annual percentage increase, as determined by the State Council of Higher Education for Virginia, 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:

01/06/17 Senate: Prefiled and ordered printed; offered 01/11/17 17100186D
01/06/17 Senate: Referred to Committee on Education and Health

SB1088 [Higher educational institutions, public; fixed four-year tuition rate.](#)

Chief Patron: Sturtevant

Summary:

Requires the governing boards of baccalaureate public institutions of higher education to annually establish an in-state tuition rate class cap that identifies the annual amount that the cost of in-state tuition will not exceed for each of the following four years. 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:

01/06/17 Senate: Prefiled and ordered printed; offered 01/11/17 17100188D
01/06/17 Senate: Referred to Committee on Education and Health

SB1103 [FOIA; closed meeting violations, civil penalty.](#)

Chief Patron: Surovell

Summary:

Provides that in addition to any penalties imposed under FOIA, if the court finds that a member of a public body voted to certify a closed meeting and at the time of such certification such certification constituted a departure from the requirements of FOIA, the court shall impose on all members voting to certify in their individual capacity, whether or not a writ of mandamus or injunctive relief is awarded, a civil penalty of \$500 each, which amount shall be paid into the State Literary Fund.

Status:

01/07/17 Senate: Prefiled and ordered printed; offered 01/11/17 17100867D
01/07/17 Senate: Referred to Committee on General Laws and Technology
01/17/17 Senate: Assigned GL&T sub: #1

SB1128 [FOIA; failure to respond to request for records, rebuttable presumption.](#)

Chief Patron: DeSteph

Summary:

Provides that there shall be a rebuttable presumption that a failure to respond to a request for records was willful and knowing.

Status:

01/09/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102874D
01/09/17 Senate: Referred to Committee on General Laws and Technology
01/17/17 Senate: Assigned GL&T sub: #1

SB1129 [Virginia Public Procurement Act; requirements for use of construction management contracts.](#)

Chief Patron: Ruff

Summary:

Restricts the use of construction management procurements by public bodies unless (i) the total estimated contract value is \$40 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) prior alternative procurement method experience is not required as a prerequisite for an award, and (v) price is the primary determining factor for award of the contract. The bill provides that for projects where the total estimated contract value is not expected to exceed \$40 million, a public body may use competitive negotiation to procure construction on a construction management basis if the above requirements are met and the project is of substantial historical value or significantly unique or complex in nature. In addition, public bodies seeking to use construction management for projects where the total estimated contract value is not expected to exceed \$40 million must also obtain a written finding of compliance from the local governing body for local public bodies, from the Director of the Department of General Services for certain state public bodies, and from the respective contracting officer for public institutions of higher education designated with Tier 3 procurement authority. The bill also (i) establishes a procedure to appeal a public body's determination to procure construction on a construction management basis, (ii) prohibits combining multiple construction projects for the purpose of exceeding the \$40 million threshold, (iii) requires public bodies to make available to the public, after award, all prequalification score sheets, award score sheets, and selection information for each project, (iv) establishes reporting requirements regarding the use of construction management by state public bodies, (v) directs the Auditor of Public Accounts to include, as part of his annual audit plan, a determination regarding whether a public institution of higher education designated with Tier 3 procurement authority is in compliance with the institution's internal review process in the selection of procurement method for construction, and (vi) requires all state public bodies to post on the central electronic procurement website of the Department of General Services approved projects and approved procurement methods for construction at least 30 days prior to soliciting for design services for such construction projects.

Status:

01/09/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102128D

01/09/17 Senate: Referred to Committee on General Laws and Technology

SB1146 [Jail inmates; costs of medical treatment.](#)

Chief Patron: DeSteph

Summary:

Provides that no sheriff or jail superintendent or locality is responsible for payment of the cost of medical treatment of an inmate's pre-existing condition. Under current law, the sheriff, jail superintendent, or locality is responsible for payment of the cost of medical treatment for such inmate's pre-existing condition if that condition is a communicable disease, serious medical need, or life-threatening condition. The bill provides that adequate medical treatment shall not be withheld due to an inmate's inability to pay.

Status:

01/09/17 Senate: Prefiled and ordered printed; offered 01/11/17 17101362D

01/09/17 Senate: Referred to Committee on Rehabilitation and Social Services

SB1228 [Va. Fair Housing Law; responsibilities with respect to use of an assistance animal in a dwelling.](#)

Companion Bill: HB2006

Chief Patron: Barker

Summary:

Sets out the rights and responsibilities under the Virginia Fair Housing Law (§ 36-96.1 et seq.) with respect to maintaining an assistance animal in a dwelling. The bill establishes a process for the review and approval or denial of a request from a person with a disability for reasonable accommodation to maintain an assistance animal in such person's dwelling. Under the bill, whenever a request for a reasonable accommodation to maintain an assistance animal in a dwelling is denied for reasons other than that the requester does not have (i) a disability or (ii) a disability-related need for an assistance animal, the person who receives the request shall initiate an interactive process with the individual requesting accommodation to determine if there is an alternative accommodation that would effectively address the disability-related need. The bill removes language providing that the terms "individual with a handicap" nor the term "handicap" do not apply to an individual solely because that individual is a transvestite. The bill also defines assistance animal, major life activities, and physical or mental impairment. This bill is a recommendation of the Virginia Housing Commission.

Status:

01/10/17 Senate: Prefiled and ordered printed; offered 01/11/17 17103819D

01/10/17 Senate: Referred to Committee on General Laws and Technology

01/16/17 Senate: Impact statement from DPB (SB1228)

SB1234 [Public institutions of higher education; transferable credits.](#)

Chief Patron: Dunnivant

Summary:

Requires the State Council of Higher Education for Virginia (Council), in consultation with each public institution of higher education, to develop a passport credit program that will be offered at each associate-degree-granting public institution of higher education. Under the program, each passport credit course shall satisfy a lower division general education requirement at any public institution of higher education, and any student who completes a passport credit course at an associate-degree-granting public institution of higher education 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 general education requirements at such institution. The bill requires the Council to develop such program by June 1, 2018 and each associate-degree-granting public institution of higher education to offer such program by the 2018-2019 academic year.

Status:

01/10/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102436D

01/10/17 Senate: Referred to Committee on Education and Health

SB1334 [Virginia Public Procurement Act; small business enhancement program; limitations.](#)

Companion Bill: HB2366

Chief Patron: Ruff

Summary:

Provides that any enhancement or remedial measure authorized by the Governor for state public bodies may allow for small businesses certified by the Department of Small Business and Supplier Diversity or a subcategory of small businesses established as a part of the enhancement program to have a price preference over noncertified businesses competing for the same contract award, provided that the certified small business or the business in such subcategory of small businesses does not exceed the low bid by more than five percent.

Status:

01/10/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102130D

01/10/17 Senate: Referred to Committee on General Laws and Technology

SB1341 [Digital certification of government records.](#)

Chief Patron: Surovell

Summary:

Requires state agencies to provide, via a website or upon request, copies of electronic records that contain an electronic signature that electronically and visually assures that the document is authentic. An agency may charge a fee of \$5 for each digitally certified copy of a record. Such electronic signatures shall comply with standards developed by the Secretary of the Commonwealth, in cooperation with the Virginia Information Technologies Agency. Any digitally certified record submitted to a court in the Commonwealth shall be deemed to be authenticated by the custodian of the record.

Status:

01/10/17 Senate: Prefiled and ordered printed; offered 01/11/17 17100671D

01/10/17 Senate: Referred to Committee on General Laws and Technology

SB1353 [Higher education; members of governing boards; duties.](#)

Chief Patron: DeSteph

Summary:

Provides that the primary duty of any member of a governing board of a public institution of higher education is to the Commonwealth. The bill requires that the educational programs for the governing boards of public institutions of higher education, developed by the State Council of Higher Education for Virginia, shall include presentations on such primary duty.

Status:

01/11/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102869D

01/11/17 Senate: Referred to Committee on Education and Health

01/17/17 Senate: Impact statement from DPB (SB1353)

SB1371 [Virginia Research Investment Committee; expands role of Committee.](#)

Companion Bill: HB2245

Chief Patron: Saslaw

Summary:

Expands the role of the Virginia Research Investment Committee (the Committee) to include, in addition to awarding grants and loans from the Virginia Research Investment Fund, providing guidance and coordination in the use of public funds to support research and commercialization efforts throughout the Commonwealth. The bill moves responsibility for the development of the Commonwealth Research and Technology Strategic Roadmap from the Center for Innovative Technology to the Committee.

The bill also clarifies that the exemption from mandatory disclosure of records under the Freedom of

Information Act by applicants for grants and loans from the Committee applies to certain financial records, trade secrets, and research-related information. The bill requires an applicant seeking to invoke the protections of the exemption to submit a written request to the Committee identifying the records or data for which protection is sought and stating the reason why protection is necessary. The exemption would also apply to documents prepared exclusively for the application review by the Committee, its staff, or a reviewing entity conducting a scientific review at the request of the Committee. The closed meeting exemption would also be amended to include interviews of applicants by the Committee or a reviewing entity conducting a scientific review.

The bill contains technical amendments.

Status:

01/11/17 Senate: Prefiled and ordered printed; offered 01/11/17 17101632D

01/11/17 Senate: Referred to Committee on Education and Health

SB1376 [Public institutions of higher education; public notice of proposed tuition increase.](#)

Chief Patron: Petersen

Summary:

Prohibits the governing board of a public institution of higher education from approving an increase in tuition or mandatory fees without first providing students, parents, and the public a brief synopsis of the proposed increase and notice of the date, time, and location of any vote on the increase at least 30 days prior to such vote and providing an opportunity for public comment on such proposed increase at a board meeting at least two meetings in advance of such vote.

Status:

01/11/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102953D

01/11/17 Senate: Referred to Committee on Education and Health

SB1379 [Public institutions of higher education; tuition.](#)

Chief Patron: Petersen

Summary:

Requires the governing board of a public institution of higher education to implement a plan to reduce in-state tuition over the next five years if the total of any budget surpluses or cash reserves is greater than 150 percent of its cost of education for the total enrollment in actual attendance during the fiscal year.

Status:

01/11/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102974D

01/11/17 Senate: Referred to Committee on Education and Health

SB1387 Jt Legislative Audit and Review Commission; operational and programmatic efficiency and reviews.

Chief Patron: Sturtevant

Summary:

Authorizes the Joint Legislative Audit and Review Commission to establish an ongoing operational and programmatic efficiency and effectiveness review and assessment of state agencies under a contract with a United States-based private management consulting firm with experience in conducting statewide performance reviews. The purpose of the review and assessment 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 also (i) provides certain required terms for the contract with the private entity and (ii) requires the Commission to submit a report to the General Assembly on the results of each review and assessment by December 1 of the year in which the review is conducted.

Status:

01/11/17 Senate: Prefiled and ordered printed; offered 01/11/17 17103779D

01/11/17 Senate: Referred to Committee on Rules

01/16/17 Senate: Impact statement from DPB (SB1387)

SB1389 Institutions of higher education; 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:

01/11/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102279D

01/11/17 Senate: Referred to Committee on Education and Health

SB1405 [Public institutions of higher education; notice of proposed tuition increase.](#)

Chief Patron: Surovell

Summary:

Prohibits the governing board of a public institution of higher education from approving an increase in tuition or mandatory fees without first publishing in a prominent location on the institution's website a brief synopsis of the proposed increase including an explanation of the need for such increase and the maximum potential amount of such increase and notice of the date, time, and location of any vote on the increase at least 30 days prior to such vote. The bill requires a copy of the synopsis and the notice to be emailed to each student and requires that public comment be accepted at any hearing on the increase.

Status:

01/11/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102301D

01/11/17 Senate: Referred to Committee on Education and Health

SB1425 [Right to resell tickets; civil penalty.](#)

Companion Bill: HB1825

Chief Patron: Stanley

Summary:

Prohibits any person that issues tickets for admission to any sporting event, theatrical production, lecture, motion picture screening, or any other event open to the public for which tickets are ordinarily sold from issuing the ticket solely through a delivery method that substantially prevents the ticket purchaser from lawfully reselling the ticket on the Internet ticketing platform of the ticket purchaser's choice. The measure also prohibits a person from being penalized, discriminated against, or denied admission to an event solely on the basis that the person resold a ticket, or purchased a resold ticket, on a specific Internet ticketing platform. A person violating these prohibitions is subject to a civil penalty of not less than \$5,000 nor more than \$15,000.

Status:

01/12/17 Senate: Presented and ordered printed 17103928D

01/12/17 Senate: Referred to Committee on Commerce and Labor

SB1436 [Virginia Freedom of Information Act \(FOIA\); definition of public body.](#)

Chief Patron: Petersen

Summary:

Expands the definition of public body under FOIA to include any foundation that exists for the primary purpose of supporting a public institution of higher education and that is exempt from taxation under § 501(c)(3) of the Internal Revenue Code.

Status:

01/13/17 Senate: Presented and ordered printed 17102937D

01/13/17 Senate: Referred to Committee on General Laws and Technology

01/17/17 Senate: Assigned GL&T sub: #1

SB1450 [Possession of concealed handguns; concealed handgun permit holders at public institutions.](#)

Chief Patron: Chase

Summary:

Allows any firefighter, person employed as search and rescue personnel, person employed as emergency medical services personnel, certified campus security officer, or student, employee, contractor, vendor, or faculty member of a public institution of higher education that participates in a Reserve Officers' Training Corps (ROTC) program who possesses a valid Virginia concealed handgun permit or a concealed handgun permit from another state that is recognized by Virginia to carry a concealed handgun on the property of, in buildings owned by, or at events hosted at public institutions of higher education.

Status:

01/16/17 Senate: Presented and ordered printed 17103467D

01/16/17 Senate: Referred to Committee for Courts of Justice

SJ254 [Study; State Council of Higher Education for Va; applied baccalaureate degrees.](#)

Companion Bill: HJ611

Chief Patron: Stanley

Summary:

Requests that the State Council of Higher Education for Virginia study the feasibility and benefits of comprehensive community colleges offering applied baccalaureate degrees by analyzing and making recommendations on (i) the affordability of obtaining an applied baccalaureate degree at a comprehensive community college as compared to a baccalaureate public institution of higher education, including the extent to which obtaining an applied baccalaureate degree at a comprehensive community college would reduce college debt; (ii) the feasibility and benefits of higher education centers on comprehensive community college campuses; (iii) the feasibility and benefits of joint degree programs between comprehensive community colleges and baccalaureate public institutions of higher education that are offered on community college campuses; (iv) the feasibility and benefits of offering applied

baccalaureate degrees in engineering and information technology at Danville Community College and Patrick Henry Community College; (v) applied baccalaureate degrees that could be offered at Danville Community College, Patrick Henry Community College, or other comprehensive community colleges in addition to applied baccalaureate degrees in engineering and information technology; and (vi) options for residents in rural parts of the Commonwealth to earn applied baccalaureate degrees.

Status:

01/03/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102841D

01/03/17 Senate: Referred to Committee on Rules

SJ292 [**Study; SCHEV; financial reserves; report.**](#)

Chief Patron: Surovell

Summary:

Requests the State Council of Higher Education for Virginia to study the practice of maintaining financial reserves at baccalaureate public universities of higher education.

Status:

01/11/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102779D

01/11/17 Senate: Referred to Committee on Rules