

**Legislative Report**  
**University of Virginia -- Office of State Governmental Relations**  
**Friday, February 3, 2023**

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**HB1387 K-12 schools/higher ed. institution; designation of interscholastic, etc., sports based on sex, etc.**

**Chief Patron:** Greenhalgh

**Summary:**

Requires each interscholastic, intercollegiate, intramural, or club athletic team or sport sponsored by a public elementary or secondary school or by a public institution of higher education to be expressly designated as one of the following based on biological sex: (i) males, men, or boys; (ii) females, women, or girls; or (iii) coed or mixed if participation on such team or sport is open to both (a) males, men, or boys and (b) females, women, or girls. The bill requires identification of the student's biological sex on an athletics eligibility form signed by a licensed physician, nurse practitioner, or physician assistant to be submitted by any such student who desires to try out for or participate in an interscholastic, intercollegiate, intramural, or club athletic team or sport. The bill prohibits any such team or sport that is expressly designated for females, women, or girls from being open to students whose biological sex is male. The bill further prohibits any interscholastic, intercollegiate, intramural, or club athletic team or sport sponsored by a public elementary or secondary school or a public institution of higher education from competing against any interscholastic, intercollegiate, intramural, or club athletic team or sport sponsored by a private elementary or secondary school or private institution of higher education unless such private school or institution complies with the applicable provisions of the bill.

The bill prohibits any government entity, licensing or accrediting organization, or athletic association or organization from entertaining a complaint, opening an investigation, or taking any other adverse action against public school or institution of higher education based on a violation of the provisions of the bill and creates a cause of action for any school or institution of higher education that suffers harm as a result of a violation of the bill. Finally, the bill creates a civil cause of action for any student that suffers harm as a result of a knowing violation of a provision of the bill by a school or institution or as a result of the student's reporting a violation of a provision of the bill by a school, institution, athletic association, or organization.

**Status:**

11/15/22 House: Referred to Committee on Education  
01/12/23 House: Impact statement from DPB (HB1387)  
01/20/23 House: Assigned Education sub: Higher Education  
01/30/23 House: House subcommittee amendments and substitutes offered  
01/30/23 House: Subcommittee recommends reporting with amendments (6-Y 4-N)

**HB1389 Mental illness or emotional disturbance; administration of controlled substances for treatment, etc.**

**Chief Patron:** Anderson

**Summary:**

Provides that a minor shall not be deemed an adult for the purpose of consenting to administration of

controlled substances for the treatment of mental illness or emotional disturbance. Currently, a minor is deemed an adult for the purpose of consenting to medical and health services needed in the case of outpatient care, treatment, or rehabilitation for mental illness or emotional disturbance.

**Status:**

01/25/23 House: Assigned HWI sub: Subcommittee #1  
01/31/23 House: House subcommittee amendments and substitutes offered  
01/31/23 House: Subcommittee recommends reporting with amendments (6-Y 3-N)  
01/31/23 House: House subcommittee amendments and substitutes offered  
02/02/23 House: Reported from Health, Welfare and Institutions with amendment(s) (10-Y 9-N)

**HB1393 [Carrying a concealed handgun; permit not required.](#)**

**Chief Patron:** March

**Summary:**

Allows any person who is otherwise eligible to obtain a concealed handgun permit to carry a concealed handgun without a permit anywhere he may lawfully carry a handgun openly within the Commonwealth.

**Status:**

11/30/22 House: Prefiled and ordered printed; offered 01/11/23 23100070D  
11/30/22 House: Committee  
01/11/23 House: Impact statement from DPB (HB1393)

**HB1399 [Elementary schools, etc.; designation of interscholastic, etc., sports, student participation.](#)**

**Chief Patron:** March

**Summary:**

Requires each interscholastic, intercollegiate, intramural, or club athletic team or sport that is sponsored by a public elementary or secondary school or a public institution of higher education to be expressly designated as one of the following based on each team member's biological sex at birth: (i) for "males," "men," or "boys"; (ii) for "females," "women," or "girls"; or (iii) as "coed" or "mixed," including both (a) males, men, or boys and (b) females, women, or girls. The bill prohibits any interscholastic, intercollegiate, intramural, or club athletic team or sport that is sponsored by a public elementary or secondary school or a public institution of higher education and that is expressly designated for "males," "men," or "boys" from being open to any student whose biological sex at birth is female unless such school or institution does not sponsor such a team or sport that is expressly designated for "females," "women," or "girls" or as "coed" or "mixed." The bill prohibits any interscholastic, intercollegiate, intramural, or club athletic team or sport that is sponsored by a public elementary or secondary school or a public institution of higher education and that is expressly designated for "females," "women," or "girls" from being open to any student whose biological sex at birth is male. The bill prohibits any interscholastic, intercollegiate, or club athletic team or sport that is sponsored by a public elementary or

secondary school or a public institution of higher education from competing against any interscholastic, intercollegiate, or club athletic team or sport that is sponsored by a private elementary or secondary school or a private institution of higher education unless such private school or institution complies with the applicable provisions of the bill for the team or sport that it sponsors. The bill also establishes a cause of action for students, schools, and institutions that suffer harm as a result of a violation of certain provisions of the bill. The bill finally prohibits any school board from using any funds or permitting any school within the local school division to use any funds to join, affiliate with, pay dues or fees to, or in any way financially support any interscholastic athletic association, body, or entity unless the constitution, rules, or policies of such association, body, or entity recognizes, sanctions, and regulates interscholastic competition between wrestling teams exclusively comprised of students whose biological sex at birth is female.

**Status:**

11/30/22 House: Prefiled and ordered printed; offered 01/11/23 23100012D  
11/30/22 House: Referred to Committee on Education  
01/12/23 House: Impact statement from DPB (HB1399)  
01/20/23 House: Assigned Education sub: Higher Education

**HB1400 [Budget Bill.](#)**

*Companion Bill:* SB800

*Chief Patron:* Knight

**Summary:**

Amends Chapter 2 of the 2022 Acts of Assembly, Special Session I

**Status:**

12/15/22 House: Prefiled and ordered printed; offered 01/11/23 23103491D  
12/15/22 House: Referred to Committee on Appropriations  
01/18/23 House: Budget amendments available

**HB1403 [Higher educational institutions, certain public; provision of university housing at no cost, etc.](#)**

*Chief Patron:* Tata

**Summary:**

Requires any public institution of higher education that maintains and operates university housing during scheduled intersessions to provide access to such housing at no cost to any student who is eligible for a certain tuition and fee grant based on his placement in foster care at age 18 and satisfaction of several other enumerated criteria, provided that the student (i) is a registered student for the immediately following academic term and (ii) meets the definitions and conditions of the federal McKinney-Vento Homeless Assistance Act, as amended.

**Status:**

01/23/23 House: Read second time and engrossed  
01/24/23 House: Read third time and passed House BLOCK VOTE (100-Y 0-N)  
01/24/23 House: VOTE: Block Vote Passage (100-Y 0-N)  
01/25/23 Senate: Constitutional reading dispensed  
01/25/23 Senate: Referred to Committee on Education and Health

**HB1488 [Abortion; use of public funds prohibited.](#)**

*Chief Patron:* McGuire

***Summary:***

Provides that no agency of the Commonwealth shall enter into any contract with or make any grant of public funds, as defined in the bill, to any entity or any affiliate of any entity that provides abortion services or operates a facility at which abortion services are provided. The bill also repeals provisions authorizing the Board of Health to use state general funds appropriated to the Department of Health to pay the cost of abortions for women who otherwise meet the financial eligibility criteria for services through the state plan for medical assistance services in cases in which (i) a pregnancy occurs as a result of rape or incest that is reported to a law-enforcement or public health agency or (ii) a physician certifies in writing that he believes the fetus will be born with a gross and totally incapacitating physical deformity or with a gross and totally incapacitating mental deficiency.

**Status:**

01/02/23 House: Referred to Committee for Courts of Justice  
01/28/23 House: Assigned Courts sub: Subcommittee #1  
01/30/23 House: House committee, floor amendments and substitutes offered  
02/01/23 House: House subcommittee amendments and substitutes offered  
02/01/23 House: House subcommittee amendments and substitutes offered

**HB1491 [Small business; redefines for the purposes of certain programs.](#)**

*Chief Patron:* Davis

***Summary:***

Redefines "small business" for the purposes of programs for the Department of Small Business and Supplier Diversity and the Virginia Public Procurement Act to mean a business that together with its affiliates has both 250 or fewer employees and average annual gross receipts, less the cost of goods sold by the business, of \$10 million or less averaged over the previous three years. Currently for these programs, a business qualifies as a small business if, together with its affiliates, it has either 250 or fewer employees or average annual gross receipts of \$10 million or less averaged over the previous three years.

**Status:**

01/03/23 House: Referred to Committee on General Laws

01/11/23 House: Assigned GL sub: Subcommittee #1  
01/24/23 House: Impact statement from DPB (HB1491)  
02/02/23 House: House subcommittee amendments and substitutes offered  
02/02/23 House: Subcommittee recommends laying on the table (5-Y 3-N)

## **HB1555 Higher educational institutions; human trafficking awareness and prevention training required.**

*Companion Bill:* SB1373

*Chief Patron:* Brewer

### ***Summary:***

Directs the governing board of each public institution of higher education to develop and implement policies requiring a trauma-informed human trafficking awareness and prevention training program be provided to and completed by all first-year students as a part of such institution's first-year orientation program. The bill also directs the State Council of Higher Education for Virginia to encourage private institutions of higher education to develop and implement policies to provide such a human trafficking awareness and prevention training program as a part of their first-year orientation programs.

### **Status:**

01/30/23 House: Read second time and engrossed  
01/31/23 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)  
01/31/23 House: VOTE: (99-Y 0-N)  
02/01/23 Senate: Constitutional reading dispensed  
02/01/23 Senate: Referred to Committee on Education and Health

## **HB1600 Certificate of public need; expedited review process.**

*Companion Bill:* SB953

*Chief Patron:* Robinson

### ***Summary:***

Requires the Department of Health to establish an expedited review process for certain projects involving addition of imaging equipment, addition of a new ambulatory or outpatient surgery center, addition of operating rooms at an existing ambulatory or outpatient surgery center, and addition of psychiatric beds or conversion of existing beds at a medical care facility to psychiatric beds and requires the Board of Health to include in regulations governing the certificate of public need program a provision for the development of review criteria and standards for specific medical care facilities and health care services for each health planning region that take into account the unique needs and characteristics of such region. The bill also amends the definition of "charity care" and defines "health care service" and "indigent."

### **Status:**



01/06/23 House: Prefiled and ordered printed; offered 01/11/23 23101097D  
01/06/23 House: Referred to Committee on Health, Welfare and Institutions  
01/13/23 House: Assigned HWI sub: Subcommittee #3  
01/19/23 House: Impact statement from DPB (HB1600)

## **HB1615 [Statute of limitations; medical debt payment period.](#)**

**Chief Patron:** Clark

### **Summary:**

Provides that the statute of limitations for an action on any contract, written or unwritten, to collect medical debt, including actions brought by the Commonwealth, is three years from the original date of a health care service unless the contract with a hospital or health care provider is for a payment plan that allows for a longer period of time for the collection of debt by the hospital or health care provider.

### **Status:**

01/18/23 House: Subcommittee recommends reporting with substitute (4-Y 2-N)  
01/30/23 House: House subcommittee amendments and substitutes offered  
01/30/23 House: House subcommittee amendments and substitutes offered  
01/30/23 House: House subcommittee amendments and substitutes offered  
01/30/23 House: Subcommittee recommends reporting with substitute (4-Y 3-N)

## **HB1689 [Patient visitation; visitation from clergy members during declared public health emergency.](#)**

**Companion Bill:** SB925

**Chief Patron:** Greenhalgh

### **Summary:**

Requires hospitals, nursing homes, and certified nursing facilities to allow patients to receive visits from clergy members during a declared public health emergency related to a communicable disease of public health threat. Under the bill, the hospital, nursing home, or certified nursing facility may require the clergy member to comply with all reasonable health and safety requirements and may restrict visits of a clergy member who fails a health screening measure or tests positive for a communicable disease of public health concern. If the health and safety requirement substantially burdens the clergy member's free exercise of religion, the hospital, nursing home, or certified nursing facility may require compliance only if the requirement furthers a compelling health and safety interest and imposes the least restrictive requirement. The bill provides immunity for hospitals, nursing homes, and certified nursing facilities and their employees and contractors from liability for injury or death due to exposure to a communicable disease of public health concern resulting from or related to such visitation, except in limited circumstances. The bill also allows a person or religious organization to bring a civil action against a hospital, nursing home, or certified nursing facility alleging a violation of such visitation provisions.

**Status:**

01/26/23 House: Subcommittee recommends reporting with substitute (3-Y 2-N)  
01/31/23 House: Reported from Health, Welfare and Institutions with substitute (12-Y 9-N)  
01/31/23 House: Committee substitute printed 23105528D-H1  
02/01/23 House: Impact statement from DPB (HB1689H1)  
02/02/23 House: Read first time

**HB1711 [Minor's medical records; prohibits denial of parental access to records.](#)**

*Companion Bill:* SB1070

*Chief Patron:* Bell

**Summary:**

Prohibits denial of parental access to the medical records of such parent's minor child, unless federal law requires the minor child's consent.

**Status:**

01/12/23 House: Impact statement from DPB (HB1711)  
01/19/23 House: Assigned HWI sub: Subcommittee #1  
01/24/23 House: Subcommittee recommends reporting (5-Y 4-N)  
01/31/23 House: Reported from Health, Welfare and Institutions (12-Y 9-N)  
02/02/23 House: Read first time

**HB1743 [Virginia Public Procurement Act; competitive sealed bidding, required statements.](#)**

*Chief Patron:* Carr

**Summary:**

Requires every written Invitation to Bid issued pursuant to the Virginia Public Procurement Act to incorporate certain statements of qualifications for potential contractors related to responsible contracting, direct hiring, prevailing wages, and participation in apprenticeship programs.

**Status:**

01/09/23 House: Referred to Committee on General Laws  
01/16/23 House: Assigned GL sub: Subcommittee #4  
01/17/23 House: House subcommittee amendments and substitutes offered  
01/17/23 House: Subcommittee recommends laying on the table (5-Y 3-N)  
01/18/23 House: Impact statement from DPB (HB1743)

**HB1760 [Virginia Teacher Residency Training Corps; established.](#)**

**Chief Patron:** Reid

**Summary:**

Establishes the Virginia Teacher Residency Training Corps for the purposes of attaining and retaining public elementary and secondary school teachers in school divisions in the Commonwealth by awarding scholarships to students seeking to obtain teaching degrees and certifications at participating institutions and requiring such students upon completion of their degree or certificate to fill teaching positions for one year for each year of scholarship receipt at a high-need school, as defined pursuant to federal law. The bill also creates the Virginia Teacher Residency Training Corps Scholarship Fund and Program for the purpose of funding such scholarships at the participating institutions of Longwood University, Norfolk State University, Radford University, and Virginia Commonwealth University. Finally, the bill establishes the 12-member Virginia Teacher Residency Training Corps Commission to administer the Program and directs the Commission to begin meeting on or after September 1, 2023, and to establish the parameters for the Program and award the first scholarships prior to the beginning of the 2024%962025 academic year.

**Status:**

01/30/23 House: Reported from Education with substitute (16-Y 6-N)  
01/30/23 House: Referred to Committee on Appropriations  
01/31/23 House: Assigned App. sub: Elementary & Secondary Education  
02/01/23 House: Subcommittee recommends laying on the table (5-Y 3-N)  
02/02/23 House: Impact statement from DPB (HB1760H1)

**HB1795 [Abortion; born alive infant, treatment and care, penalty.](#)**

**Chief Patron:** Freitas

**Summary:**

Requires every health care provider licensed by the Board of Medicine who attempts to terminate a pregnancy to (i) exercise the same degree of professional skill, care, and diligence to preserve the life and health of a human infant who has been born alive following such attempt as a reasonably diligent and conscientious health care practitioner would render to any other child born alive at the same gestational age and (ii) take all reasonable steps to ensure the immediate transfer of the infant who has been born alive to a hospital for further medical care. A health care provider who fails to comply with the requirements of the bill is guilty of a Class 4 felony and may be subject to disciplinary action by the Board of Medicine. The bill also requires every hospital licensed by the Department of Health to establish a protocol for the treatment and care of a human infant who has been born alive following an attempt to terminate a pregnancy and for the immediate reporting to law enforcement of any failure to provide such required treatment and care.

**Status:**

01/10/23 House: Impact statement from VCSC (HB1795)  
01/10/23 House: Referred to Committee for Courts of Justice  
01/25/23 House: Impact statement from DPB (HB1795)

01/28/23 House: Assigned Courts sub: Subcommittee #1  
01/30/23 House: Subcommittee recommends reporting (5-Y 3-N)

## **HB1800** [Higher educational institutions, public; transparency.](#)

*Companion Bill:* SB1197

*Chief Patron:* Freitas

### **Summary:**

Imposes several requirements on governing boards of public institutions of higher education relating to transparency, including requirements to (i) report by September 1 of each year to the Chairmen of the House Committees on Appropriations and Education and the Senate Committees on Finance and Appropriations and on Education and Health the number of diversity officers and government relations officers employed by the institution and the salary of each such officer and the total value of any contract with any outside individual or entity to provide lobbying services for the institution; (ii) record video of each meeting of the full board and its committees and make publicly available on the institution's website in a position of prominence a link that permits any member of the public to livestream each meeting of the full board and its committees and, within 10 business days after the date of any meeting of the full board or any of its committees, view video recordings for each such meeting; and (iii) prior to any vote to enter into or renew a contract for the employment of the chief executive officer of the institution, hold a public meeting to provide an opportunity for written, virtual, and in-person public comment on such contract at least 120 days prior to any such meeting at which it will vote to enter into or renew such contract and provide notice of such public meeting in accordance with relevant law. The bill also requires each public institution of higher education to make publicly available on the institution's website in a position of prominence and present annually to the governing board of the institution an annual report regarding foundations associated with the institution setting forth foundation expenses that includes the percentage of expenditures used for diversity, equity, and opportunity compensation, government relations and lobbying activities, and compensation of the chief executive officer.

### **Status:**

02/01/23 House: Read first time  
02/02/23 House: Impact statement from DPB (HB1800H1)  
02/02/23 House: Read second time  
02/02/23 House: Committee substitute agreed to 23104711D-H1  
02/02/23 House: Engrossed by House - committee substitute HB1800H1

## **HB1810** [State and local employees; rights of employees, freedoms of conscience and expression.](#)

*Chief Patron:* Davis

### **Summary:**

Protects local government employees from being penalized by their employer for expressing their

opinion regarding a current or proposed regulation, rule, policy, position, or other action or purpose of a public body at an open meeting of such public body during the time designated for public comment when such employees are speaking on their own behalf as members of the public. The bill exempts from such protection expressions made by state government employees during a public meeting of a committee or subcommittee of the General Assembly or State Corporation Commission.

**Status:**

01/31/23 House: Passed by for the day  
02/01/23 House: Passed by for the day  
02/02/23 House: Read second time  
02/02/23 House: Passed by temporarily  
02/02/23 House: Engrossed by House

**HB1842 [Virginia Business Ready Sites Acquisition Fund and Program; created.](#)**

**Chief Patron:** Knight

**Summary:**

Creates the Virginia Business Ready Sites Acquisition Program for the purposes of (i) acquiring sites for the purpose of creating and maintaining a portfolio of project-ready sites to promote economic development in the Commonwealth, (ii) developing such sites to increase their marketability, and (iii) entering into development agreements with private employers for large-scale economic development projects. The Virginia Economic Development Partnership Authority shall administer the Program, in consultation with the Department of General Services.

The bill requires Program activities to be reviewed by the Business Ready Site Acquisition Oversight Commission (the Commission), created by the bill, composed of the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, the Speaker of the House of Delegates, the President Pro Tempore of the Senate, the Secretary of Commerce and Trade, the Secretary of Finance, and the Secretary of Administration, who shall review proposals for site acquisitions, site development activities, and development agreements with private employers and determine whether the proposals are consistent with the objective of the Program. If the Commission issues a negative finding, it shall communicate such finding to the Governor and to the General Assembly, and the Authority shall not implement the proposal unless the proposal, either in its original or revised form, is authorized by the General Assembly at its next session and enacted into law.

**Status:**

01/23/23 House: Engrossed by House - committee substitute HB1842H1  
01/24/23 House: Read third time and passed House (97-Y 3-N)  
01/24/23 House: VOTE: (97-Y 3-N)  
01/25/23 Senate: Constitutional reading dispensed  
01/25/23 Senate: Referred to Committee on Finance and Appropriations

**HB1864 [State agency employees; vaccine requirements, creates exemption.](#)**

**Chief Patron:** Scott, P.A.

**Summary:**

Creates an exemption to vaccine requirements implemented by state agencies for any state agency employees who are philosophically opposed to receiving such vaccination.

**Status:**

01/10/23 House: Prefiled and ordered printed; offered 01/11/23 23101528D  
01/10/23 House: Referred to Committee on Health, Welfare and Institutions  
01/25/23 House: Assigned HWI sub: Subcommittee #3  
01/26/23 House: Impact statement from DPB (HB1864)  
01/26/23 House: Subcommittee failed to recommend reporting (3-Y 3-N)

**HB1889 [Higher educational institutions, public, etc.; certain immunization requirements prohibited.](#)**

**Chief Patron:** McGuire

**Summary:**

Prohibits any prospective or current full-time or part-time employee of a public institution of higher education or any of its centers or other subdivisions; the Virginia Commonwealth University Health System Authority; Eastern Virginia Medical School; or any authority, center, or institute specified by the bill that enrolls or otherwise provides instruction to students from being required, as a condition of initial or continued employment, to be immunized against COVID-19. The bill also prohibits any prospective or current full-time or part-time student at any such institution, authority, center, institute, or school from being required, as a condition of initial or continued enrollment, to be immunized against COVID-19.

**Status:**

01/24/23 House: Impact statement from DPB (HB1889)  
01/25/23 House: Referred from Education  
01/25/23 House: Referred to Committee on Health, Welfare and Institutions  
01/25/23 House: Assigned HWI sub: Subcommittee #3  
01/26/23 House: Subcommittee recommends laying on the table (5-Y 1-N)

**HB1890 [Virginia Promise to Veterans Act; established, report.](#)**

**Companion Bill:** SB1356

**Chief Patron:** Tata

**Summary:**

Establishes the Virginia Promise to Veterans Act for the purpose of removing barriers to higher education for veterans of the uniformed services, as defined in the bill, and assisting such veterans in making the

transition to civilian life in the Commonwealth. In furtherance of this purpose, the bill directs the governing board of each public institution of higher education in the Commonwealth to provide for the guaranteed acceptance of any eligible veteran applicant, defined in the bill as any applicant who served as a member of the uniformed services and (i) graduated from a high school in the Commonwealth or (ii) served in the uniformed services while assigned to a location in the Commonwealth and who otherwise meets the admissions requirements to enroll as an undergraduate student at such institution. The bill requires the State Council of Higher Education for Virginia, in collaboration with the Virginia Community College System, to develop guidelines relating to the administration of the provisions of the chapter for the governing board of each public institution of higher education and to develop guidelines for potential eligible veteran applicants, including any additional resources available to eligible veterans applying under the Act.

**Status:**

02/01/23 House: Read first time

02/02/23 House: Read second time

02/02/23 House: Committee substitute agreed to 23105007D-H1

02/02/23 House: Engrossed by House - committee substitute HB1890H1

02/02/23 House: Impact statement from DPB (HB1890H1)

**HB1898 [Virginia Public Procurement Act; prohibition on boycotting Israel, civil penalty.](#)**

**Companion Bill:** SB1375

**Chief Patron:** McGuire

**Summary:**

Prohibits public bodies from entering into a contract in excess of \$100,000 with any contractor having more than an average of 10 employees for the previous 12 months that boycotts Israel. The bill requires any such contractor seeking to contract with a public body under the provisions of the Virginia Public Procurement Act to certify in writing that it will not, during the performance of the contract, boycott Israel. The bill provides that any contractor that violates the provisions of the bill shall be debarred from contracting with all public bodies of the Commonwealth until it can prove that it no longer boycotts Israel. Such contractor is also subject to a civil penalty in an amount equal to three times the amount of the contract. Public bodies are required to maintain and report to the Department of General Services, for inclusion in a publicly available online database, a list of contractors that violated the prohibition and have been debarred. The bill also prohibits public institutions of higher education from boycotting Israel and directs the governing board of each public institution of higher education to establish guidelines that require (i) any entity under the control of the governing board to certify in writing that it shall not boycott Israel; (ii) a quarterly review and report by the governing board of all such entities to determine whether any such entity has boycotted Israel; (iii) appropriate penalties for any entity that has boycotted Israel; and (iv) all written certifications, quarterly reports, and penalty information to be sent to the State Council of Higher Education for Virginia for inclusion in a publicly available online database.

**Status:**

01/18/23 House: Assigned GL sub: Subcommittee #4  
01/31/23 House: Impact statement from DPB (HB1898)  
01/31/23 House: House subcommittee amendments and substitutes offered  
01/31/23 House: Subcommittee recommends reporting with substitute (5-Y 3-N)  
02/02/23 House: Reported from General Laws with substitute (12-Y 8-N)

## **HB1912 [Treasury Board; powers and duties.](#)**

**Companion Bill:** SB1094

**Chief Patron:** Batten

### **Summary:**

Provides that the Treasury Board shall have the power and duty to make recommendations to the Governor on bonds, public-private partnerships, or other financing arrangements executed by private foundations for housing or other capital projects with respect to which a qualifying educational institution, defined in the bill, is obligated to provide financial or other types of support.

### **Status:**

01/31/23 House: Referred to Committee on Appropriations  
02/01/23 House: Assigned App. sub: General Government and Capital Outlay  
02/01/23 House: Subcommittee recommends reporting with substitute (8-Y 0-N)  
02/01/23 House: Reported from Appropriations with substitute (22-Y 0-N)  
02/01/23 House: Committee substitute printed 23105898D-H1

## **HB1916 [Higher educational institutions, public; threat assessment teams, powers and duties.](#)**

**Companion Bill:** SB910

**Chief Patron:** Batten

### **Summary:**

Requires each threat assessment team at each public institution of higher education, upon a preliminary determination that an individual poses an articulable and significant threat of violence to others, to (i) obtain criminal history record information and health records for such individual, if available; (ii) notify the campus police department, local law enforcement, and the local attorney for the Commonwealth in writing within 24 hours; and (iii) disclose any specific threat of violence posed by the individual as part of such notification. The bill permits each such threat assessment team to invite nonmember representatives from campus to participate in individual cases and specifies that no such representative shall be considered a member of the threat assessment team. The bill requires each threat assessment team member to complete basic threat assessment training upon appointment to the threat assessment team. The bill also provides that in the event that a public institution of higher education has knowledge that a student or employee who was determined pursuant to an investigation by the institution's threat assessment team to pose an articulable and significant threat of violence to others is transferring to



another institution of higher education or place of employment, the public institution of higher education from which the individual is transferring shall notify the institution of higher education or place of employment to which the individual is transferring of such investigation and determination. Finally, the bill requires the Secretary of Education and Secretary of Public Safety and Homeland Security to convene a task force to determine best practices and develop model policies and procedures for all threat assessment teams at public institutions of higher education and to consider and make legislative recommendations on the appropriate qualifications of members of such threat assessment teams. The task force is required to submit its findings to the Governor and Chairmen of the House Committee for Courts of Justice, the Senate Committee on the Judiciary, the House Committee on Education, and the Senate Committee on Education and Health no later than December 1, 2023.

**Status:**

01/30/23 House: Reported from Education with substitute (22-Y 0-N)  
02/01/23 House: Read first time  
02/02/23 House: Read second time  
02/02/23 House: Committee substitute agreed to 23105030D-H1  
02/02/23 House: Engrossed by House - committee substitute HB1916H1

**HB1957 [Virginia Public Procurement Act; construction management and design-build contracting.](#)**

*Companion Bill:* SB954

*Chief Patron:* Leftwich

**Summary:**

Requires a two-step process consisting of (i) a preconstruction contract and (ii) competitive sealed bidding for construction services for certain projects totaling less than \$125 million. Complex projects, defined in the bill, may request an exemption from the provisions of the bill and relevant law from the Secretary of Administration. If a complex project totals is more than \$125 million, the bill provides that an exemption from the provisions of the bill and relevant law is not required. Finally, the bill states that competitive sealed bidding is the preferred method of procurement for construction services in the Commonwealth.

**Status:**

02/01/23 House: Assigned App. sub: General Government and Capital Outlay  
02/01/23 House: Subcommittee recommends reporting with substitute (6-Y 2-N)  
02/01/23 House: House subcommittee amendments and substitutes offered  
02/01/23 House: Reported from Appropriations with substitute (14-Y 8-N)  
02/01/23 House: Committee substitute printed 23105809D-H1

**HB2042 [Animal testing; whistle blower protections created.](#)**

*Companion Bill:* SB1271

**Chief Patron:** Shin

**Summary:**

Requires state and private facilities using animal test methods to annually submit on or before December 1 to the Department of Agriculture and Consumer Services a report regarding the use of animals in biomedical or behavioral research for the preceding year. The bill also creates whistle blower protections for any violations of any animal care requirements and establishes the Animal Welfare Whistle Blower Reward Fund to provide monetary rewards to persons who have disclosed any such violations. Finally, the bill provides that violations will result in a civil penalty of not less than \$500 nor more than \$2,500.

**Status:**

01/10/23 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

01/17/23 House: Assigned ACNR sub: Agriculture

01/25/23 House: Impact statement from DPB (HB2042)

01/25/23 House: House subcommittee amendments and substitutes offered

01/25/23 House: Subcommittee recommends laying on the table (5-Y 4-N)

**HB2050 [Virginia Freedom of Information Act; electronic meetings, local and regional public bodies.](#)**

**Companion Bill:** SB1351

**Chief Patron:** Bennett-Parker

**Summary:**

Allows, with certain exceptions, local and regional public bodies to convene as many all-virtual public meetings as each such public body deems acceptable in its individual remote participation meeting policy, to be adopted at least once annually by recorded vote at a public meeting. Current law limits all-virtual public meetings to no more than two times per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater, and prohibits any such meeting from being held consecutively with another all-virtual public meeting.

**Status:**

01/10/23 House: Referred to Committee on General Laws

01/18/23 House: Assigned GL sub: Subcommittee #4

01/19/23 House: Impact statement from DPB (HB2050)

01/24/23 House: House subcommittee amendments and substitutes offered

01/24/23 House: Subcommittee recommends laying on the table (4-Y 3-N)

**HB2076 [Virginia Military Survivors and Dependents Education Program, changes to eligibility criteria.](#)**

**Chief Patron:** Murphy

**Summary:**

Makes several changes to the eligibility criteria for the Virginia Military Survivors and Dependents Education Program, including (i) shortening from five years to one year all of the relevant mandatory physical presence or domicile requirements, (ii) changing the requirement for veterans to be at least 90 percent permanently disabled to qualify for program benefits to a requirement for such veterans to have a static rating of at least 90 percent disabled, and (iii) declaring eligible for program benefits the stepchildren of eligible living veteran military service members.

**Status:**

01/25/23 House: Reported from Education (22-Y 0-N)

01/25/23 House: Referred to Committee on Appropriations

01/25/23 House: Assigned App. sub: Higher Education

01/30/23 House: House subcommittee amendments and substitutes offered

01/30/23 House: Subcommittee recommends laying on the table (5-Y 3-N)

**HB2091 [Parental access to minor's medical records; consent by certain minors to treatment.](#)**

**Chief Patron:** Mundon King

**Summary:**

Adds an exception to the right of parental access to a minor child's health records if the furnishing to or review by the requesting parent of such health records would be reasonably likely deter the minor from seeking care. Under the bill, a minor 16 years of age or older who is determined by a health care provider to be mature and capable of giving informed consent shall be deemed an adult for the purpose of giving consent to treatment of a mental or emotional disorder. The bill provides that the capacity of a minor to consent to treatment of a mental or emotional disorder does not include the capacity to (i) refuse treatment for a mental or emotional disorder for which a parent, guardian, or custodian of the minor has given consent or (ii) if the minor is under 16 years of age, consent to the use of prescription medications to treat a mental or emotional disorder.

**Status:**

01/10/23 House: Prefiled and ordered printed; offered 01/11/23 23102392D

01/10/23 House: Referred to Committee on Health, Welfare and Institutions

01/13/23 House: Impact statement from DPB (HB2091)

01/24/23 House: Assigned HWI sub: Subcommittee #2

01/26/23 House: Subcommittee recommends passing by indefinitely (6-Y 4-N)

**HB2114 [Higher educational institutions, public; tuition & financial aid, dependency override application.](#)**

**Companion Bill:** SB1386

**Chief Patron:** Willett

**Summary:**

Requires each public institution of higher education to create and maintain a form by which a student may apply for a dependency override, defined in the bill as the documented determination by a financial aid administrator pursuant to relevant federal law that, for the purposes of tuition and financial aid eligibility determinations, a student is an independent student by reason of other unusual circumstances. The bill requires such form to (i) be published electronically on the financial aid page of the institution's website; (ii) clearly explain, in language understandable to a student enrolled at the institution, the purposes of a dependency override, potential circumstances that may qualify a student for a dependency override, and common circumstances that do not qualify a student for a dependency override; (iii) explicitly include, in language understandable to a student enrolled at the institution, a statement that institutions of higher education are permitted to accept a range of documents to substantiate dependency override applications, including those documents specified by relevant federal law; and (iv) explicitly include, in language understandable to a student enrolled at the institution, the option to apply for a dependency override based on certain factors enumerated in the bill.

**Status:**

01/27/23 House: Impact statement from DPB (HB2114H1)  
01/30/23 House: House subcommittee amendments and substitutes offered  
01/30/23 House: House subcommittee amendments and substitutes offered  
01/30/23 House: House subcommittee amendments and substitutes offered  
01/30/23 House: Subcommittee recommends laying on the table (5-Y 3-N)

**HB2120 Higher educational institutions, public; agreement to provide aggregated, nonconfidential case data.**

**Chief Patron:** Hudson

**Summary:**

Allows the Office of the Executive Secretary, at the request of a public institution of higher education, to enter into an agreement to provide aggregated, nonconfidential case data, including names and partial dates of birth of parties, in electronic format. The bill specifies that such data shall not be subject to the Virginia Freedom of Information Act.

**Status:**

01/10/23 House: Prefiled and ordered printed; offered 01/11/23 23102287D  
01/10/23 House: Referred to Committee for Courts of Justice  
01/19/23 House: Assigned Courts sub: Subcommittee #2  
01/20/23 House: Impact statement from DPB (HB2120)  
01/23/23 House: Subcommittee recommends laying on the table (8-Y 0-N)

**HB2237 Hospital price transparency; private right of action, patient payment disputes.**

**Chief Patron:** Helmer

**Summary:**

Allows patients to bring an action against a hospital that is not in material compliance with hospital price transparency laws. Under the bill, if a hospital is not in material compliance with hospital price transparency laws on the date that an elective procedure, test, or service is provided to a patient by the hospital, the patient may bring an action, individually or jointly, against the hospital to recover payment of the price of the elective procedure, test, or service. Under the bill, a hospital that is not in material compliance with hospital price transparency laws on the date that an elective procedure, test, or service is provided to a patient is liable for the price of the elective procedure, test, or service provided and an additional equal amount as liquidated damages; interest accruing from the date the elective procedure, test, or service was provided; and reasonable attorney fees and costs. The bill requires the court, if it finds that the hospital knowingly was not in material compliance with hospital price transparency laws, to award the patient an amount equal to triple the amount of the price of the elective procedure, test, or service and reasonable attorney fees and costs. Under the bill, beginning July 1, 2023, whenever a dispute arises between a hospital and a patient over a patient payment amount, the hospital's list of standard charges for all items and services shall be used to determine the correct payment amount and reasonableness of the payment. The bill also prohibits a hospital, defined in the bill, or other person or entity collecting on behalf of the hospital, from initiating or pursuing collection actions against a patient or patient guarantor for debt incurred by the patient on the date or dates of service when the hospital was not in material compliance with federal hospital price transparency laws.

**Status:**

01/11/23 House: Prefiled and ordered printed; offered 01/11/23 23103973D  
01/11/23 House: Referred to Committee on Health, Welfare and Institutions  
01/24/23 House: Assigned HWI sub: Subcommittee #2  
01/26/23 House: Subcommittee recommends striking from docket (10-Y 0-N)  
01/27/23 House: Impact statement from DPB (HB2237)

**HB2276 [COVID; immunization of children.](#)**

**Chief Patron:** LaRock

**Summary:**

Specifies that parents shall not be required to immunize their children against COVID-19.

**Status:**

01/11/23 House: Prefiled and ordered printed; offered 01/11/23 23103367D  
01/11/23 House: Referred to Committee on Health, Welfare and Institutions  
01/19/23 House: Assigned HWI sub: Subcommittee #3  
01/20/23 House: Impact statement from DPB (HB2276)

**HB2278 [Abortion; when lawful, 15-week gestational age, exceptions, penalty.](#)**

**Chief Patron:** Byron

**Summary:**

Makes it a Class 4 felony for any physician licensed by the Board of Medicine to practice medicine and surgery to terminate or attempt to terminate a human pregnancy or aid or assist in the termination of a human pregnancy by performing an abortion or causing a miscarriage on any woman if the physician determines using best clinical judgment that the gestational age of the unborn child is more than 15 weeks, unless (i) the physician determines, based upon best clinical judgment, that the continuation of the pregnancy will result in the death of the woman or substantially and irreversibly impair one or more of such woman's major bodily functions, not including psychological or emotional conditions, or (ii) the pregnancy is the result of rape or incest. The bill further requires that any abortion procedure performed after it is determined that the unborn child's gestational age is more than 15 weeks is required to be performed in a hospital licensed by the State Department of Health or operated by the Department of Behavioral Health and Developmental Services. The bill provides that its provisions shall be known as the Pain-Capable Unborn Child Protection Act.

**Status:**

01/11/23 House: Prefiled and ordered printed; offered 01/11/23 23104306D  
01/11/23 House: Referred to Committee for Courts of Justice  
01/13/23 House: Impact statement from VCSC (HB2278)  
01/30/23 House: Impact statement from DPB (HB2278)

**HB2279** [Certificate of public need program; regulations, charity care.](#)

**Chief Patron:** Byron

**Summary:**

Allows facilities other than hospitals to include care provided to individuals who are covered under the state plan for medical assistance in the charity care requirement of the certificate of public need program.

**Status:**

01/11/23 House: Prefiled and ordered printed; offered 01/11/23 23101488D  
01/11/23 House: Referred to Committee on Health, Welfare and Institutions  
01/13/23 House: Assigned HWI sub: Subcommittee #3  
01/20/23 House: Impact statement from DPB (HB2279)  
01/26/23 House: Subcommittee recommends striking from docket (6-Y 0-N)

**HB2280** [Surgical & medical trtmt. of certain minors; parental consent, admission to mental health facility.](#)

**Chief Patron:** LaRock

**Summary:**

Requires written informed consent from the parent or guardian of any minor prior to any non-emergency surgical or medical treatment, mental health treatment, or immunization of a minor. The bill limits circumstances under existing law when a minor shall be deemed an adult for the purpose of consenting to certain medical or health services. The bill also allows a minor of any age to be admitted to a mental health facility for inpatient treatment without the consent of the minor.

**Status:**

01/11/23 House: Prefiled and ordered printed; offered 01/11/23 23102522D  
01/11/23 House: Referred to Committee on Health, Welfare and Institutions  
01/18/23 House: Impact statement from DPB (HB2280)  
01/19/23 House: Assigned HWI sub: Subcommittee #3

**HB2306 [Immunizations; authority of the Commissioner of Health, religious tenets or practices, exception.](#)**

**Chief Patron:** Freitas

**Summary:**

Exempts a person, including a parent or guardian on behalf of a child, who objects to administration of a vaccine on religious grounds from mandatory immunization requirements issued by the Commissioner of Health during an epidemic. Currently, exemption from mandatory immunization requirements during an epidemic is available only to those persons to whose health the administration of the vaccine would be detrimental, as certified in writing by a licensed physician.

**Status:**

01/24/23 House: House subcommittee amendments and substitutes offered  
01/24/23 House: Subcommittee recommends reporting with amendments (5-Y 4-N)  
01/26/23 House: Impact statement from DPB (HB2306)  
01/31/23 House: Reported from Health, Welfare and Institutions with amendment(s) (12-Y 9-N)  
02/02/23 House: Read first time

**HB2348 [Animal testing facilities; noncompliance with federal laws and regulations, civil penalty.](#)**

**Companion Bill:** SB1230

**Chief Patron:** Webert

**Summary:**

Establishes certain restrictions and civil penalties for animal testing facilities, as defined in the bill, that have received citations for noncompliance with the federal Animal Welfare Act or regulations adopted thereunder. The bill requires animal testing facilities to register annually with the Department of Agriculture and Consumer Services, to pay an annual registration fee to the Department, and to report

citations received for violations of the federal Animal Welfare Act or regulations adopted thereunder to the Department.

**Status:**

02/01/23 House: House committee, floor amendments and substitutes offered

02/01/23 House: House committee, floor amendments and substitutes offered

02/01/23 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (20-Y 2-N)

02/01/23 House: Referred to Committee on Appropriations

02/02/23 House: Impact statement from DPB (HB2348H1)

**HB2365 [Firearm or explosive material; carrying within Capitol Square or building state-owned or leased.](#)**

*Companion Bill:* SB1484

*Chief Patron:* Hudson

**Summary:**

Limits the exemption from the prohibition on the carrying of any firearm or explosive material within any building owned or leased by the Commonwealth or agency thereof or any office where employees of the Commonwealth or any agency thereof are regularly present for the purpose of performing their official duties that currently applies to any property owned or operated by a public institution of higher education to instead apply to any individual within a building owned or operated by a public institution of higher education who possesses a weapon as part of such public institution of higher education's curriculum or activities or as part of any organization authorized by the public institution of higher education to conduct its programs or activities within such building.

**Status:**

01/13/23 House: Presented and ordered printed 23104407D

01/13/23 House: Referred to Committee on Public Safety

01/24/23 House: Assigned PS sub: Subcommittee #1

01/26/23 House: Subcommittee recommends laying on the table (6-Y 4-N)

**HB2385 [State agencies; prohibited contracts, civil penalty.](#)**

*Chief Patron:* Brewer

**Summary:**

Prohibits state agencies from entering into a contract for goods or services with a scrutinized company, defined in the bill as any company owned or operated by the Government of China, other than a company for which the Committee on Foreign Investment in the United States has determined that there are no unresolved national security concerns regarding the transaction that created such ownership or permitted such operation. The bill also requires any company that submits a bid or proposal to a state



agency with respect to a contract for goods or services to certify in writing that it is not a scrutinized company and outlines the penalties for falsifying information in submitting such certification, including a civil penalty in an amount equal to the greater of \$250,000 or twice the amount of the contract for which the bid or proposal was submitted. Finally, the bill prohibits any employee or agent of any executive branch agency or person or entity contracting with any such agency from downloading or using any application, including TikTok or WeChat, or accessing any website developed by ByteDance Ltd. or Tencent Holdings Ltd. (i) on any state-issued device or state-owned or state-leased equipment, including mobile phones, desktop computers, laptop computers, tablets, or other devices capable of connecting to the Internet, or (ii) while connected to any wired or wireless Internet network owned, operated, or maintained by the Commonwealth.

**Status:**

02/02/23 House: Committee substitute rejected 23105154D-H1  
02/02/23 House: Substitute by Delegate Brewer agreed to 23106085D-H2  
02/02/23 House: Amendment by Delegate Helmer agreed to  
02/02/23 House: Engrossed by House - floor substitute with amendment HB2385EH2  
02/02/23 House: Printed as engrossed 23106085D-EH2

**HB2425 [Higher educational institutions; information about institutional debt, report, civil penalty.](#)**

*Chief Patron:* Bagby

**Summary:**

Requires certain institutions of higher education in the Commonwealth to report to the Secretary of Education on January 1 of each calendar year certain information and documents relating to certain educational debts owed to the institution by current and former students as of the end of the prior calendar year and requires the Secretary, with the cooperation and assistance of the State Council of Higher Education for Virginia, to issue a report that includes the information and documents provided by each such institution no later than July 1 of each calendar year. The bill also allows the Secretary to impose a civil penalty of not more than \$10,000 for each violation on an institution of higher education that fails to comply with the reporting requirements of the bill.

**Status:**

01/18/23 House: Presented and ordered printed 23104054D  
01/18/23 House: Referred to Committee on Education  
01/26/23 House: Assigned Education sub: Higher Education  
01/30/23 House: Subcommittee recommends striking from docket (10-Y 0-N)  
02/02/23 House: Impact statement from DPB (HB2425)

**HB2427 [Hospital price transparency; private right of action, patient payment disputes.](#)**

**Chief Patron:** Freitas

**Summary:**

Allows patients to bring an action against a hospital that is not in material compliance with hospital price transparency laws. Under the bill, if a hospital is not in material compliance with hospital price transparency laws on the date that an elective procedure, test, or service is provided to a patient by the hospital, the patient may bring an action, individually or jointly, against the hospital to recover payment of the price of the elective procedure, test, or service. Under the bill, a hospital that is not in material compliance with hospital price transparency laws on the date that an elective procedure, test, or service is provided to a patient is liable for the price of the elective procedure, test, or service provided and an additional equal amount as liquidated damages; interest accruing from the date the elective procedure, test, or service was provided; and reasonable attorney fees and costs. The bill requires the court, if it finds that the hospital knowingly was not in material compliance with hospital price transparency laws, to award the patient an amount up to triple the amount of the price of the elective procedure, test, or service and reasonable attorney fees and costs. Under the bill, beginning July 1, 2023, whenever a dispute arises between a hospital and a patient over a patient payment amount, the hospital's list of standard charges for all items and services shall be used to determine the correct payment amount and reasonableness of the payment. The bill also prohibits a hospital, defined in the bill, or other person or entity collecting on behalf of the hospital, from initiating or pursuing collection actions against a patient or patient guarantor for debt incurred by the patient on the date or dates of service when the hospital was not in material compliance with federal hospital price transparency laws.

**Status:**

01/31/23 House: Assigned HWI sub: Subcommittee #3

02/02/23 House: House subcommittee amendments and substitutes offered

02/02/23 House: Subcommittee recommends reporting with substitute (3-Y 2-N)

02/02/23 House: Reported from Health, Welfare and Institutions with substitute (10-Y 9-N)

02/02/23 House: Committee substitute printed 23106139D-H1

**HB2435 [Hospital price transparency; enforcement, plans of correction, civil penalty.](#)**

**Chief Patron:** Hodges

**Summary:**

Grants the Department of Health authority to impose a plan of correction on hospitals that fail to comply with hospital price transparency requirements. The bill imposes a civil penalty on noncompliant hospitals. Hospitals that violate price transparency requirements may be reported to the Consumer Protection Division of the Office of the Attorney General.

**Status:**

01/31/23 House: Assigned HWI sub: Subcommittee #3

02/02/23 House: Subcommittee recommends reporting with substitute (5-Y 0-N)

02/02/23 House: Reported from Health, Welfare and Institutions with substitute (10-Y 9-N)

02/02/23 House: Committee substitute printed 23105906D-H1

**HB2450** [Virginia Public Procurement Act; construction manager allowed to bid on certain contracts.](#)

*Companion Bill:* SB1491

*Chief Patron:* Campbell, J.L.

**Summary:**

Provides that construction management contracts of state public bodies, local public bodies, and covered institutions shall require such entities to have authority to determine whether to allow the construction manager of such contract to propose or bid on particular contracts, if, given market conditions and other relevant information, such entity determines that such action is in the best interests of the project and of the Commonwealth of Virginia. The bill provides that such entities shall have the option to either negotiate particular contracts in an open-book manner with the construction manager at risk or require the construction manager to submit a sealed bid or proposal to the state public body or its designated project director or procurement officer consistent with established principles.

**Status:**

01/30/23 House: Assigned GL sub: Subcommittee #4

01/30/23 House: Impact statement from DPB (HB2450)

01/31/23 House: House subcommittee amendments and substitutes offered

01/31/23 House: Subcommittee recommends reporting with substitute (8-Y 0-N)

02/02/23 House: Reported from General Laws with substitute (22-Y 0-N)

**HB2461** [COVID-19; penalty reimbursements, sunset provision.](#)

*Chief Patron:* Durant

**Summary:**

Requires all state agencies to report to the Secretary of Finance the total amount of fines, fees, and interest imposed on individuals, businesses, and nonprofit organizations, including any withdrawal, suspension, or cancellation of an individual's license or certification, resulting from violations of the Commonwealth's COVID-19 practices, guidelines, rules, or operating procedures and any state contracts that were not awarded as a result of noncompliance with the Commonwealth's COVID-19 guidelines. The bill also requires all state agencies to include in such report the fund into which such amounts were deposited. The bill directs the Secretary of Finance, in consultation with the Cabinet Secretaries with responsibility for the impacted agencies, to develop a procedure to provide reimbursement to such individuals, businesses, and nonprofit organizations up to the amount of fines, fees, or interest previously paid for such violations. The bill specifies that the procedure developed by the Secretary of Finance shall provide for the reimbursement to such individuals, businesses, and nonprofit organizations of such amounts from the fund into which the original amounts were deposited. The provisions of the bill are contingent on funding in a general appropriation act and out of any appropriation made, \$1,000,000 the second year shall be made available to implement the provisions of this bill. The bill has a sunset date of

June 30, 2025.

**Status:**

01/25/23 House: Impact statement from DPB (HB2461)

01/30/23 House: Assigned GL sub: Subcommittee #1

02/02/23 House: House subcommittee amendments and substitutes offered

02/02/23 House: Subcommittee recommends reporting with substitute (5-Y 3-N)

02/02/23 House: Reported from General Laws with substitute (12-Y 10-N)

**HB2462 [Student loans, certain; default, institutional liability.](#)**

**Chief Patron:** Runion

**Summary:**

Requires the State Council of Higher Education for Virginia to develop procedures for (i) identifying each individual who has defaulted on any loan agreement that he entered into in order to finance all or any portion of the cost of tuition or mandatory fees to attend the baccalaureate public institution of higher education at which he earned his degree within five years of earning such degree and (ii) determining which such loan defaults qualify for repayment by the baccalaureate public institution of higher education at which the individual earned his degree. The bill requires any individual determined pursuant to such procedures developed by the Council to have a qualifying loan default to be repaid by the baccalaureate public institution of higher education at which he earned his degree a sum sufficient to cover 50 percent of the original principal amount of the loan.

**Status:**

01/30/23 House: Subcommittee recommends referring to Committee on Appropriations

01/30/23 House: Reported from Education (13-Y 9-N)

01/30/23 House: Referred to Committee on Appropriations

01/31/23 House: Assigned App. sub: Higher Education

02/01/23 House: Subcommittee recommends laying on the table (8-Y 0-N)

**HB2479 [Cloud Computing Cluster Infrastructure Grant Fund; created.](#)**

**Companion Bill:** SB1522

**Chief Patron:** Knight

**Summary:**

Creates the Cloud Computing Cluster Infrastructure Grant Fund for the purpose of providing grants to qualified companies, defined in the bill as a company, including its affiliates, that enters into a memorandum of understanding with the Virginia Economic Development Partnership Authority and is expected to (i) make or cause to be made a capital investment of at least \$50 billion and (ii) create at least 1,500 new full-time jobs that pay an average annual wage of at least \$122,300. The bill requires that, in order to become a qualified company, a company successfully complete a qualification process

that includes an endorsement from the MEI Commission and approval in the appropriation act for the amount of grants that are to be provided.

The bill also extends the data center sales and use tax exemption to 2040 for a data center operator that (i) makes a capital investment of at least \$35 billion in data centers in the Commonwealth and (ii) creates at least 1,000 direct new jobs with an average wage of at least \$122,300. Such data center operator shall be eligible for further extension to 2050 if the data center operator (i) makes a total capital investment of at least \$100 billion, inclusive of the initial \$35 billion investment, and (ii) creates a total of at least 2,500 direct new jobs with an average wage of at least \$122,300, inclusive of the 1,000 jobs initially created.

**Status:**

01/25/23 House: Reported from Finance (18-Y 1-N)  
01/25/23 House: Referred to Committee on Appropriations  
01/31/23 House: Impact statement from DPB (HB2479)  
02/01/23 House: Reported from Appropriations with substitute (22-Y 0-N)  
02/01/23 House: Committee substitute printed 23106091D-H1

**HB2490 [Division laboratory schools; application and establishment.](#)**

*Chief Patron:* Davis

**Summary:**

Provides a framework for the application for and establishment of a division laboratory school as a public, nonreligious, or non-home-based alternative school located within a local school division that is created as a new public school or through the conversion of all or part of an existing public school and is subject to the student assessment and accountability requirements applicable to other public schools in the Commonwealth. The bill exempts division laboratory schools from certain laws that govern other public schools in the Commonwealth and permits such schools to operate free from specified school division policies and state regulations and be granted flexibility in school scheduling. Finally, the bill establishes the Division Laboratory School Fund to be used solely for the purposes of establishing or supporting division laboratory schools.

**Status:**

01/30/23 House: Committee substitute printed 23105790D-H1  
01/30/23 House: Reported from Education with substitute (12-Y 9-N)  
01/30/23 House: Referred to Committee on Appropriations  
01/31/23 House: Assigned App. sub: Elementary & Secondary Education  
02/01/23 House: Subcommittee recommends reporting with substitute (6-Y 2-N)

**HJ511 [Public school teachers; SCHEV to study feasibility of offering reduced in-state tuition.](#)**

*Chief Patron:* Helmer

**Summary:**

Requests the State Council of Higher Education for Virginia to study, in collaboration with the Department of Education, the feasibility and efficacy of offering the dependents of public elementary and secondary school teachers in the Commonwealth reduced rate in-state tuition at public institutions of higher education in the Commonwealth for the purpose of improving retention rates of public school teachers in the Commonwealth.

**Status:**

01/10/23 House: Prefiled and ordered printed; offered 01/11/23 23100669D

01/10/23 House: Referred to Committee on Rules

01/27/23 House: Assigned Rules sub: Studies

01/30/23 House: Subcommittee recommends laying on the table (4-Y 2-N)

**HJ541 [Higher education institutions; JLARC to study cost efficiency, opportunities to reduce cost.](#)**

**Chief Patron:** Byron

**Summary:**

Directs the Joint Legislative Audit and Review Commission (JLARC) to study the cost efficiency of public institutions of higher education in the Commonwealth and to identify opportunities to reduce the cost of public higher education in the Commonwealth by examining (i) teaching loads and productivity of faculty; (ii) the impact of faculty research on tuition and other costs; (iii) incentives created by existing faculty compensation models; (iv) design and utilization of facilities; (v) operation of enterprise activities; (vi) the use of technology for academic programs and administrative functions; (vii) administrative staffing and costs, including the ratio of administrators to students at each public institution of higher education; (viii) scholarships and other student aid programs; (ix) the use of outsourcing and public-private partnerships; (x) the use of cooperative procurement; (xi) the impact of nonacademic activities and programs on tuition and fees; (xii) sources of revenue and income, and how these sources are allocated toward academic, administrative, and other costs; (xiii) opportunities to reduce the cost of public higher education in the Commonwealth; (xiv) the number of individuals employed by each public institution of higher education to promote or advance diversity, equity, and inclusion; (xv) the number of individuals employed by each public institution of higher education to engage in government relations; (xvi) the number and amount of lobbying contracts paid out of foundations associated with each public institution of higher education; (xvii) the relationship of each public institution of higher education to each of its associated foundations and the amount of funds held by each such foundation that are spent to hold down the cost of education to students; and (xviii) such other related matters as it may deem appropriate and providing a comprehensive update on the status of the implementation of its recommendations pursuant to House Joint Resolution 108 (2012). The resolution requires JLARC to complete its meetings for the first year by November 30, 2023, and for the second year by November 30, 2024, and requires the chairman to submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year.

**Status:**

01/11/23 House: Prefiled and ordered printed; offered 01/11/23 23101094D  
01/11/23 House: Referred to Committee on Rules  
01/27/23 House: Assigned Rules sub: Studies  
01/30/23 House: Subcommittee recommends laying on the table (5-Y 0-N)

**SB791** [Save Adolescents from Experimentation \(SAFE\) Act; established, health benefit plans, etc.](#)

*Chief Patron:* Chase

**Summary:**

Creates the Save Adolescents from Experimentation (SAFE) Act, which prohibits gender transition procedures, defined in the bill, for individuals under 18 years of age and prohibits the use of public funds for gender transition procedures for individuals under 18 years of age. The bill establishes enforcement procedures for violation of the SAFE Act. The bill provides that a health benefit plan providing health care coverage in the Commonwealth is prohibited from providing coverage for gender transition procedures for individuals younger than 18 years of age and is not required to provide coverage for gender transition procedures for individuals 18 years of age or older.

**Status:**

11/29/22 Senate: Prefiled and ordered printed; offered 01/11/23 23100911D  
11/29/22 Senate: Referred to Committee on Education and Health  
01/27/23 Senate: Assigned Education sub: Health  
01/31/23 Senate: Impact statement from DPB (SB791)  
02/02/23 Senate: Passed by indefinitely in Education and Health (8-Y 5-N)

**SB792** [COVID-19 immunization; prohibition on requirement, discrimination prohibited, civil penalty.](#)

*Chief Patron:* Chase

**Summary:**

Prohibits the State Health Commissioner and the Board of Health, the Board of Behavioral Health and Developmental Services, the Department of Health Professions and any regulatory board therein, and the Department of Social Services from requiring any person, including any child, to undergo vaccination for COVID-19 and prohibits discrimination based on a person's COVID-19 vaccination status (i) with regard to education, employment, or issuance of a driver's license or other state identification or (ii) in numerous other contexts. The bill establishes a civil penalty for violation of this prohibition by an employer.

**Status:**

11/29/22 Senate: Prefiled and ordered printed; offered 01/11/23 23100914D  
11/29/22 Senate: Referred to Committee on Education and Health  
01/24/23 Senate: Impact statement from DPB (SB792)

01/27/23 Senate: Assigned Education sub: Health

02/02/23 Senate: Passed by indefinitely in Education and Health (8-Y 5-N)

## **SB800**     [\*\*Budget Bill.\*\*](#)

*Companion Bill:* HB1400

*Chief Patron:* Howell

### ***Summary:***

Amends Chapter 2 of the 2022 Acts of Assembly, Special Session I.

### **Status:**

12/15/22 Senate: Prefiled and ordered printed; offered 01/11/23 23103492D

12/15/22 Senate: Referred to Committee on Finance and Appropriations

01/18/23 Senate: Budget amendments available

## **SB833**     [\*\*COVID-19 immunization; prohibition on requirement, discrimination prohibited, civil penalty.\*\*](#)

*Chief Patron:* Chase

### ***Summary:***

Prohibits the State Health Commissioner and the Board of Health, the Board of Behavioral Health and Developmental Services, the Department of Health Professions and any regulatory board therein, and the Department of Social Services from requiring any person, including any child, to undergo vaccination for COVID-19 and prohibits discrimination based on a person's COVID-19 vaccination status (i) with regard to education, employment, or issuance of a driver's license or other state identification or (ii) in numerous other contexts. The bill establishes a civil penalty for violation of this prohibition by an employer.

### **Status:**

12/23/22 Senate: Prefiled and ordered printed; offered 01/11/23 23102361D

12/23/22 Senate: Referred to Committee on Education and Health

01/24/23 Senate: Impact statement from DPB (SB833)

01/27/23 Senate: Assigned Education sub: Health

02/02/23 Senate: Passed by indefinitely in Education and Health (8-Y 5-N)

## **SB910**     [\*\*Higher educational institutions, public; threat assessment teams, powers and duties.\*\*](#)

*Companion Bill:* HB1916



**Chief Patron:** Newman

**Summary:**

Requires each threat assessment team at each public institution of higher education, upon a preliminary determination that an individual poses an articulable and significant threat of violence to others, to (i) obtain criminal history record information and health records for such individual, (ii) notify the campus police department, local law enforcement, and the local attorney for the Commonwealth in writing within 24 hours of obtaining such criminal history record information and health records, and (iii) disclose any specific threat of violence posed by the individual as part of such notification. The bill permits each such threat assessment team to invite non-member representatives from campus to participate in individual cases and specifies that no such representative shall be considered a member of the threat assessment team. The bill requires each threat assessment team member to complete an annual threat assessment training conducted by the Department of Criminal Justice Services or an independent entity approved by the Department. The bill also provides that in the event that a public institution of higher education has knowledge that a student who was determined pursuant to an investigation by the institution's threat assessment team to pose an articulable and significant threat of violence to others is transferring to another institution of higher education, the public institution of higher education from which the student is transferring shall notify the institution of higher education to which the student is transferring of such investigation and determination. Finally, the bill requires the Secretary of Education and Secretary of Public Safety and Homeland Security to convene a task force to determine best practices and develop model policies and procedures for all threat assessment teams at public institutions of higher education and consider and make legislative recommendations on the appropriate qualifications of members of such threat assessment. The task force is required to submit its findings to the Governor and Chairmen of the House Committee for Courts of Justice, the Senate Committee on the Judiciary, the House Committee on Education, and the Senate Committee on Education and Health no later than December 1, 2023.

**Status:**

01/30/23 Senate: Read second time

01/30/23 Senate: Reading of substitute waived

01/30/23 Senate: Committee substitute agreed to 23105052D-S1

01/30/23 Senate: Engrossed by Senate - committee substitute SB910S1

01/31/23 Senate: Read third time and passed Senate (39-Y 0-N)

**SB911** [\*\*K-12 schools/higher ed. institutions; interscholastic, etc., sports, teams based on biological sex.\*\*](#)

**Chief Patron:** Cosgrove

**Summary:**

Requires each public elementary or secondary school and each public institution of higher education to expressly designate all interscholastic, intercollegiate, intramural, or club athletic teams and sports sponsored by such school based on biological sex as follows: (i) for "males," "men," or "boys"; (ii) for "females," "women," or "girls"; or (iii) as "coed" or "mixed" if such team or sport is open to participation by both (a) males, men, or boys and (b) females, women, or girls. The bill provides that a student's "biological sex" is the statement of such student's biological sex on such student's official birth certificate

if the statement was filed at or near the time of the student's birth. The bill prohibits any student whose biological sex is female from participating on any interscholastic, intercollegiate, intramural, or club team or sport that is expressly designated for "males," "men," or "boys," unless such school or institution does not offer an equivalent team or sport that is expressly designated for "females," "women," or "girls," or as "coed" or "mixed." The bill also prohibits any student whose biological sex is male from participation on any interscholastic, intercollegiate, intramural, or club team or sport that is expressly designated for "females," "women," or "girls." Furthermore, the bill prohibits any interscholastic, intercollegiate, intramural, or club athletic team or sport that is sponsored by a public elementary or secondary school or sponsored by a public institution of higher education from competing against any interscholastic, intercollegiate, intramural, or club athletic team or sport that is sponsored by a private elementary or secondary school or a private institution of higher education unless such private school or institution also complies with the provisions of the bill. Finally, the bill creates a civil cause of action for students that suffer any deprivation, harm, retaliation, or adverse action or for schools that suffer any harm as a result of a violation of the provisions of the bill, provided that such action is initiated within two years of such deprivation, harm, retaliation, or adverse action.

**Status:**

01/05/23 Senate: Prefiled and ordered printed; offered 01/11/23 23102088D

01/05/23 Senate: Referred to Committee on Education and Health

01/16/23 Senate: Impact statement from DPB (SB911)

01/25/23 Senate: Assigned Education sub: Public Education

02/02/23 Senate: Incorporated by Education and Health (SB1186-Reeves) (15-Y 0-N)

**SB925** [Patient visitation; visitation from clergy members during declared public health emergency.](#)

*Companion Bill:* HB1689

*Chief Patron:* Cosgrove

**Summary:**

Requires hospitals, nursing homes, and certified nursing facilities to allow patients to receive visits from clergy members during a declared public health emergency related to a communicable disease of public health threat. Under the bill, the hospital, nursing home, or certified nursing facility may require the clergy member to comply with all reasonable health and safety requirements and may restrict visits of a clergy member who fails a health screening measure or tests positive for a communicable disease of public health concern. If the health and safety requirement substantially burdens the clergy member's free exercise of religion, the hospital, nursing home, or certified nursing facility may require compliance only if the requirement furthers a compelling health and safety interest and imposes the least restrictive requirement. The bill provides immunity for hospitals, nursing homes, and certified nursing facilities and their employees and contractors from liability for injury or death due to exposure to a communicable disease of public health concern resulting from or related to such visitation, except in limited circumstances. The bill also allows a person or religious organization to bring a civil action against a hospital, nursing home, or certified nursing facility alleging a violation of such visitation provisions.

**Status:**

01/06/23 Senate: Referred to Committee on Education and Health  
01/13/23 Senate: Impact statement from DPB (SB925)  
01/13/23 Senate: Assigned Education sub: Health  
01/17/23 Senate: Senate subcommittee amendments and substitutes offered  
01/19/23 Senate: Passed by indefinitely in Education and Health (13-Y 2-N)

**SB953**     [Certificate of public need; expedited review process for certain projects, report.](#)

*Companion Bill:* HB1600

*Chief Patron:* Petersen

**Summary:**

Requires the Department of Health to establish an expedited review process for certain projects involving addition of imaging equipment, addition of a new ambulatory or outpatient surgery center, addition of operating rooms at an existing ambulatory or outpatient surgery center, and addition of psychiatric beds or conversion of existing beds at a medical care facility to psychiatric beds and requires the Board of Health to include in regulations governing the certificate of public need program a provision for the development of review criteria and standards for specific medical care facilities and health care services for each health planning region that take into account the unique needs and characteristics of such region. The bill also amends the definition of "charity care," redefines "clinical health service" as "health care service," and adds a definition of "indigent" for purposes of the certificate of public need program. The bill directs the Department of Health to convene a work group of stakeholders to make recommendations for funding options to alleviate the risk of financial insolvency for public and private hospitals with fewer than 100 licensed beds in the event of a future public health emergency. The bill requires the work group to report its recommendations to the Chairmen of the Senate Committee on Education and Health and the House Committee on Health, Welfare and Institutions by November 1, 2023.

**Status:**

01/06/23 Senate: Prefiled and ordered printed; offered 01/11/23 23102257D  
01/06/23 Senate: Referred to Committee on Education and Health  
01/25/23 Senate: Impact statement from DPB (SB953)  
01/27/23 Senate: Assigned Education sub: Health  
02/02/23 Senate: Passed by indefinitely in Education and Health (8-Y 7-N)

**SB954**     [Virginia Public Procurement Act; construction management and design-build contracting.](#)

*Companion Bill:* HB1957

*Chief Patron:* Petersen

**Summary:**

Requires a two-step process consisting of (i) a preconstruction contract and (ii) competitive sealed bidding for construction services for certain projects totaling less than \$125 million. Complex projects, defined in the bill, may request an exemption from the provisions of the bill and relevant law from the Secretary of Administration. If a complex project totals is more than \$125 million, the bill provides that an exemption from the provisions of the bill and relevant law is not required. Finally, the bill states that competitive sealed bidding is the preferred method of procurement for construction services in the Commonwealth.

**Status:**

01/06/23 Senate: Referred to Committee on General Laws and Technology

01/23/23 Senate: Impact statement from DPB (SB954)

02/01/23 Senate: Reported from General Laws and Technology (9-Y 6-N)

02/01/23 Senate: Rereferred to Finance and Appropriations

02/02/23 Senate: Passed by indefinitely in Finance and Appropriations with letter (12-Y 4-N)

**SB960**     **[Youth Health Protection Act; established, civil penalty.](#)**

**Chief Patron:** Peake

**Summary:**

Creates the Youth Health Protection Act (the Act), which makes it unlawful for any individual to provide gender transition procedures for minors and prohibits the use of public funds for gender transition procedures. The bill allows parents, guardians, or custodians to withhold consent for any treatment, activity, or mental health care services that are designed and intended to form their child's conceptions of sex and gender or to treat gender dysphoria or gender nonconformity. The bill prohibits government agents, other than law-enforcement personnel, from encouraging or coercing a minor to withhold information from the minor's parent. The bill establishes a duty for a government agent with knowledge that a minor has exhibited symptoms of gender dysphoria or gender nonconformity or otherwise demonstrates a desire to be treated in a manner incongruent with the minor's sex to immediately notify each of the minor's parents, guardians, or custodians in writing, with descriptions of relevant circumstances. The bill prohibits discrimination against persons (i) providing information regarding violations of the Act to their employer or specified public entities or (ii) who make disclosures under the Act believed to be a violation of law, rule, or regulation; any violation of any standard of care or other ethical guidelines for the provision of health care service; or gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety. The bill establishes a civil action for any violation of the Act by a clinic, health care system, medical professional, or other responsible person with a two-year statute of limitations. The bill prohibits political subdivisions of the Commonwealth from enacting, adopting, maintaining, or enforcing any measure that interferes with the professional conduct and judgment of a mental health care professional or counselor undertaken within the course of treatment and communication with clients, patients, other persons, or the public. The bill provides for enforcement by the Attorney General or a mental health care professional or counsel through an action for injunctive relief and allows a mental health care professional to recover reasonable attorney fees and reasonable costs incurred in obtaining an injunction. The bill waives sovereign immunity to suit and immunity from liability under this statute.

**Status:**

01/06/23 Senate: Referred to Committee on Education and Health  
01/27/23 Senate: Assigned Education sub: Health  
01/31/23 Senate: Senate subcommittee amendments and substitutes offered  
02/01/23 Senate: Impact statement from DPB (SB960)  
02/02/23 Senate: Passed by indefinitely in Education and Health (10-Y 5-N)

**SB991**     [Higher educational institutions, public; immunization requirements.](#)

*Chief Patron:* Peake

**Summary:**

Declares that the General Assembly has the sole authority to impose immunization requirements on students enrolled in public institutions of higher education and any policy or any revision to any policy of a public institution of higher education relating to immunization requirements is void to the extent that it is inconsistent with the law of the Commonwealth. The bill also expands the scope of exemptions from such immunization requirements by (i) providing that any student shall be exempt from the immunization requirements or from the health history requirement if the student or, if such student is under the age of 18, the parent of such student objects on the grounds that compliance with the requirement would conflict with the student's or the parent's religious tenets or practices and (ii) removing the exception providing that the religious exemption to any immunization requirement shall not apply if the Board of Health declares an emergency or epidemic of disease.

**Status:**

01/06/23 Senate: Prefiled and ordered printed; offered 01/11/23 23102704D  
01/06/23 Senate: Referred to Committee on Education and Health  
01/16/23 Senate: Impact statement from DPB (SB991)  
01/20/23 Senate: Assigned Education sub: Higher Education  
01/26/23 Senate: Passed by indefinitely in Education and Health (9-Y 6-N)

**SB1006**     [Associate physicians; licensure and practice.](#)

*Chief Patron:* DeSteph

**Summary:**

Authorizes the Board of Medicine to issue a two-year license to practice as an associate physician to an applicant who (i) is 18 years of age or older; (ii) is of good moral character; (iii) has graduated from an accredited medical school; (iv) has successfully completed Step 1 and Step 2 of the United States Medical Licensing Examination within the two-year period immediately preceding application for licensure or has successfully completed Step 1, Step 2, and Step 3 of the United States Medical Licensing Examination, regardless of the date of completion of each step; and (v) has not completed a medical internship or residency program. The bill requires all associate physicians to practice in accordance with a written practice agreement entered into between the associate physician and a physician licensed by the Board and provides for prescriptive authority of associate physicians in accordance with regulations

of the Board.

**Status:**

01/06/23 Senate: Prefiled and ordered printed; offered 01/11/23 23100039D  
01/06/23 Senate: Referred to Committee on Education and Health  
01/17/23 Senate: Assigned Education sub: Health Professions  
01/25/23 Senate: Impact statement from DPB (SB1006)  
01/26/23 Senate: Passed by indefinitely in Education and Health (14-Y 0-N)

**SB1030 [Higher educational institutions, public; duties of governing board, student tuition and fees.](#)**

*Chief Patron:* Norment

**Summary:**

Requires the governing board of each public institution of higher education to adopt policies and procedures requiring the release to each student or, if such student is a dependent, the parent of each student enrolled at such institution of an itemized list of how such student's individual annual tuition and other mandatory fees are allocated, including the exact amount of such student's tuition and mandatory fees that are used to subsidize financial aid grants and scholarships for other students at such institution. The bill requires such policies and procedures to include a provision allowing any student or the parent of any student to opt out of receiving such itemized list.

**Status:**

02/02/23 Senate: Senate committee, floor amendments and substitutes offered  
02/02/23 Senate: Reported from Education and Health with substitute (12-Y 3-N)  
02/02/23 Senate: Committee substitute printed 23105452D-S1  
02/02/23 Senate: Rereferred to Finance and Appropriations  
02/02/23 Senate: Failed to report (defeated) in Finance and Appropriations (5-Y 10-N 1-A)

**SB1070 [Minor's medical records; prohibits denial of parental access to records.](#)**

*Companion Bill:* HB1711

*Chief Patron:* Newman

**Summary:**

Prohibits denial of parental access to the medical records of such parent's minor child, unless federal law requires the minor child's consent.

**Status:**

01/09/23 Senate: Prefiled and ordered printed; offered 01/11/23 23103795D  
01/09/23 Senate: Referred to Committee on Education and Health

01/12/23 Senate: Impact statement from DPB (SB1070)  
01/25/23 Senate: Assigned Education sub: Health Professions  
02/02/23 Senate: Passed by indefinitely in Education and Health (10-Y 5-N)

## **SB1084 Prescription of Schedule VI controlled substances; asynchronous interactions.**

**Chief Patron:** Bell

### **Summary:**

Allows practitioners to establish a bona fide practitioner-patient relationship through asynchronous interaction for the purpose of prescribing Schedule VI controlled substances if the patient chooses not to use insurance for the encounter and if such prescribing complies with federal requirements for the practice of telemedicine. The bill directs the Board of Pharmacy to conduct a review of Schedule VI controlled substances and report to the Chairmen of the Senate Committee on Education and Health and the House Committee on Health, Welfare and Institutions by December 31, 2023, any Schedule VI substances that the General Assembly may want to consider rescheduling due to potential risk of abuse by a patient if prescribed in accordance with the standard of care for asynchronous telemedicine interactions.

### **Status:**

01/09/23 Senate: Prefiled and ordered printed; offered 01/11/23 23104083D  
01/09/23 Senate: Referred to Committee on Education and Health  
01/11/23 Senate: Assigned Education sub: Health Professions  
01/25/23 Senate: Impact statement from DPB (SB1084)  
01/26/23 Senate: Stricken at request of patron in Education and Health (14-Y 0-N)

## **SB1094 Treasury Board; powers and duties.**

**Companion Bill:** HB1912

**Chief Patron:** Norment

### **Summary:**

Provides that the Treasury Board shall have the power and duty to make recommendations to the Governor on bonds, public-private partnerships, or other financing arrangements executed by private foundations for housing or other capital projects with respect to which a qualifying educational institution, defined in the bill, is obligated to provide financial or other types of support.

### **Status:**

02/02/23 Senate: Reading of substitute waived  
02/02/23 Senate: Committee substitute agreed to 23105930D-S1  
02/02/23 Senate: Engrossed by Senate - committee substitute SB1094S1  
02/02/23 Senate: Constitutional reading dispensed (40-Y 0-N)

02/02/23 Senate: Passed Senate (40-Y 0-N)

**SB1098 Higher educational institutions, public; new programs of instruction, approval of the SCHEV, etc.**

**Chief Patron:** Norment

**Summary:**

Prohibits any public institution of higher education from implementing a new program of instruction or implementing a new curriculum for an existing program of instruction without first obtaining the approval of the State Council of Higher Education for Virginia, the House Committee on Education, and the Senate Committee on Education and Health.

**Status:**

01/09/23 Senate: Prefiled and ordered printed; offered 01/11/23 23101223D

01/09/23 Senate: Referred to Committee on Education and Health

01/13/23 Senate: Assigned Education sub: Higher Education

01/27/23 Senate: Impact statement from DPB (SB1098)

02/02/23 Senate: Passed by indefinitely in Education and Health (10-Y 4-N 1-A)

**SB1110 Higher educational institutions, public; student accounts withholding transcripts.**

**Chief Patron:** Hashmi

**Summary:**

Prohibits any public institution of higher education in the Commonwealth from conditioning the provision of an academic transcript to a current or former student on the payment of an outstanding debt to such institution if the student is requesting the transcript for the purpose of (i) applying for employment, (ii) applying for financial aid, (iii) pursuing opportunities in the Armed Forces or National Guard, or (iv) pursuing postsecondary opportunities in career or technical job training. The bill also prohibits any public institution of higher education from conditioning the provision or release of a current or former student's academic transcript to another institution of higher education on the student's repayment of an outstanding debt, but permits such institution to provide or release a partial transcript omitting any course credits that such student attempted or completed during a semester or quarter for which the student has an outstanding debt. The bill permits any public institution of higher education to condition the provision of an academic transcript on enrollment in a repayment plan for an outstanding debt or the payment of a fee, provided that (a) any such repayment plan includes a monthly payment amount established with consideration of the current or former student's ability to pay and does not exceed 10 percent of such student's monthly income, (b) any such fee charged shall not be higher for a current or former student as a consequence of having an outstanding debt than the fee charged to any current or former student not owing a debt, and (c) no current or former student receives any other less favorable treatment as a consequence of such student having an outstanding debt. Finally, the bill requires each public institution of higher education to clearly and prominently indicate on any materials



or webpages relating to academic transcript requests the purposes and conditions dictating the provision of an academic transcript to a current or former student with an outstanding debt.

**Status:**

01/20/23 Senate: Assigned Education sub: Higher Education

01/24/23 Senate: Impact statement from DPB (SB1110)

02/02/23 Senate: Senate committee, floor amendments and substitutes offered

02/02/23 Senate: Reported from Education and Health with substitute (15-Y 0-N)

02/02/23 Senate: Committee substitute printed 23105575D-S1

**SB1172 Standardized registered nursing curriculum; CHEV to make recom. for developing fast path program.**

**Chief Patron:** Dunnivant

**Summary:**

Requires the State Council of Higher Education for Virginia, in collaboration with the Virginia Community College System, the Board of Nursing, and representatives from for-profit institutions offering RN education and diploma programs to convene a work group to make recommendations for the development of a fast path nursing program for the purpose of establishing a standardized, universally accepted, and transferrable core curriculum for all registered nursing degree or diploma programs offered in each comprehensive community college, baccalaureate institution of higher education, and any other entity offering an RN degree or diploma program in the Commonwealth, including hospitals and for-profit institutions.

**Status:**

01/24/23 Senate: Impact statement from DPB (SB1172)

01/27/23 Senate: Assigned Education sub: Higher Education

01/30/23 Senate: Senate subcommittee amendments and substitutes offered

02/02/23 Senate: Reported from Education and Health with substitute (15-Y 0-N)

02/02/23 Senate: Committee substitute printed 23104737D-S1

**SB1186 K-12 schools/higher ed. institution; designation of interscholastic, etc., sports based on sex, etc.**

**Chief Patron:** Reeves

**Summary:**

Requires each interscholastic, intercollegiate, intramural, or club athletic team or sport sponsored by a public elementary or secondary school or by a public institution of higher education to be expressly designated as one of the following based on biological sex: (i) males, men, or boys; (ii) females, women, or girls; or (iii) coed or mixed if participation on such team or sport is open to both (a) males, men, or boys and (b) females, women, or girls. The bill requires identification of the student's biological sex on an athletics eligibility form signed by a licensed physician, nurse practitioner, or physician assistant to be

submitted by any such student who desires to try out for or participate in an interscholastic, intercollegiate, intramural, or club athletic team or sport. The bill prohibits any such team or sport that is expressly designated for females, women, or girls from being open to students whose biological sex is male.

The bill prohibits any government entity, licensing or accrediting organization, or athletic association or organization from entertaining a complaint, opening an investigation, or taking any other adverse action against public school or institution of higher education based on a violation of the provisions of the bill and creates a cause of action for any school or institution of higher education that suffers harm as a result of a violation of the bill. Finally, the bill creates a civil cause of action for any student that suffers harm as a result of a knowing violation of a provision of the bill by a school or institution or as a result of the student's reporting a violation of a provision of the bill by a school, institution, athletic association, or organization.

**Status:**

01/10/23 Senate: Referred to Committee on Education and Health

01/25/23 Senate: Assigned Education sub: Public Education

01/30/23 Senate: Impact statement from DPB (SB1186)

02/02/23 Senate: Senate subcommittee amendments and substitutes offered

02/02/23 Senate: Passed by indefinitely in Education and Health (10-Y 5-N)

**SB1193 [Higher educational institutions, public; foreign governments, programs and grants.](#)**

**Chief Patron:** Reeves

**Summary:**

Prohibits employees at public institutions of higher education in the Commonwealth from participating in Chinese-sponsored talent recruitment programs or receiving Chinese-funded grants. The bill also requires each employee at such institutions to disclose to the State Council of Higher Education for Virginia all financial payments received from foreign governments.

**Status:**

01/19/23 Senate: Reported from Education and Health with substitute (11-Y 4-N)

01/19/23 Senate: Committee substitute printed 23104677D-S1

01/19/23 Senate: Rereferred to Finance and Appropriations

01/26/23 Senate: Impact statement from DPB (SB1193S1)

02/01/23 Senate: Passed by indefinitely in Finance and Appropriations (11-Y 5-N)

**SB1197 [Higher educational institutions, public; transparency.](#)**

**Companion Bill:** HB1800

**Chief Patron:** Reeves

**Summary:**

Imposes several requirements on governing boards of public institutions of higher education relating to transparency, including requirements to (i) report by September 1 of each year to the Chairmen of the House Committees on Appropriations and Education and the Senate Committees on Finance and Appropriations and on Education and Health the number of diversity officers and government relations officers employed by the institution and the salary of each such officer and the total value of any contract with any outside individual or entity to provide lobbying services for the institution; (ii) record video of each meeting of the full board and its committees and make publicly available on the institution's website in a position of prominence a link that permits any member of the public to livestream each meeting of the full board and its committees and, within 10 business days after the date of any meeting of the full board or any of its committees, view video recordings for each such meeting; and (iii) prior to any vote to enter into or renew a contract for the employment of the chief executive officer of the institution, hold a public meeting to provide an opportunity for written, virtual, and in-person public comment on such contract at least 120 days prior to any such meeting at which it will vote to enter into or renew such contract and provide notice of such public meeting in accordance with relevant law. The bill also requires each public institution of higher education to make publicly available on the institution's website in a position of prominence and present annually to the governing board of the institution an annual report regarding foundations associated with the institution setting forth foundation expenses that includes the percentage of expenditures used for diversity, equity, and opportunity compensation, government relations and lobbying activities, and compensation of the chief executive officer.

**Status:**

01/10/23 Senate: Prefiled and ordered printed; offered 01/11/23 23101489D

01/10/23 Senate: Referred to Committee on Education and Health

01/13/23 Senate: Assigned Education sub: Higher Education

01/19/23 Senate: Passed by indefinitely in Education and Health (12-Y 3-N)

**SB1203 [Children Deserve Help Not Harm Act established, health benefit plans, etc.](#)**

**Chief Patron:** Reeves

**Summary:**

Creates the Children Deserve Help Not Harm Act (the Act), which prohibits gender transition procedures, defined in the bill, for individuals under 18 years of age and prohibits the use of public funds for gender transition procedures for individuals under 18 years of age. The bill establishes enforcement procedures for violation of the Act. The bill provides that a health benefit plan providing health care coverage in the Commonwealth is prohibited from providing coverage for gender transition procedures for individuals younger than 18 years of age and is not required to provide coverage for gender transition procedures for individuals 18 years of age or older.

**Status:**

01/10/23 Senate: Prefiled and ordered printed; offered 01/11/23 23103055D

01/10/23 Senate: Referred to Committee on Education and Health

01/27/23 Senate: Assigned Education sub: Health  
01/31/23 Senate: Impact statement from DPB (SB1203)  
02/02/23 Senate: Incorporated by Education and Health (SB791-Chase) (12-Y 0-N)

**SB1230** [Animal testing facilities; noncompliance with federal laws and regulations, civil penalty.](#)

*Companion Bill:* HB2348

*Chief Patron:* Stanley

**Summary:**

Establishes certain restrictions and civil penalties for animal testing facilities, as defined in the bill, that have received citations for noncompliance with the federal Animal Welfare Act or regulations adopted thereunder. The bill requires animal testing facilities to register annually with the Department of Agriculture and Consumer Services, to pay an annual registration fee to the Department, and to report citations received for violations of the federal Animal Welfare Act or regulations adopted thereunder to the Department.

**Status:**

01/10/23 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources  
01/23/23 Senate: Impact statement from DPB (SB1230)  
01/25/23 Senate: Assigned ACNR sub: Companion Animals  
01/31/23 Senate: Senate committee, floor amendments and substitutes offered  
01/31/23 Senate: Passed by indefinitely in Agriculture, Conservation and Natural Resources (14-Y 0-N)

**SB1271** [Animal testing; whistle blower protections created.](#)

*Companion Bill:* HB2042

*Chief Patron:* Boysko

**Summary:**

Requires state and private facilities using animal test methods to annually submit on or before December 1 to the Department of Agriculture and Consumer Services a report regarding the use of animals in biomedical or behavioral research for the preceding year. The bill also creates whistle blower protections for any violations of any animal care requirements and establishes the Animal Welfare Whistle Blower Reward Fund to provide monetary rewards to persons who have disclosed any such violations. Finally, the bill provides that violations will result in a civil penalty of not less than \$500 nor more than \$2,500.

**Status:**

01/31/23 Senate: Senate committee, floor amendments and substitutes offered  
01/31/23 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (14-Y 0-N)

01/31/23 Senate: Committee substitute printed 23106068D-S1  
01/31/23 Senate: Rereferred to Finance and Appropriations  
02/02/23 Senate: Reported from Finance and Appropriations (16-Y 0-N)

**SB1280** [Higher educational institution, public; course credit earned through internships required.](#)

*Chief Patron:* Dunnavant

**Summary:**

Directs the governing board of each public institution of higher education to develop and implement policies requiring four of the 120 minimum semester hours required for the completion of a bachelor's degree to be earned through participation in an unpaid or paid internship.

**Status:**

01/27/23 Senate: Assigned Education sub: Higher Education  
01/30/23 Senate: Senate subcommittee amendments and substitutes offered  
02/02/23 Senate: Senate subcommittee amendments and substitutes offered  
02/02/23 Senate: Reported from Education and Health with substitute (15-Y 0-N)  
02/02/23 Senate: Committee substitute printed 23105969D-S1

**SB1284** [Abortion; prohibited, exceptions, penalty.](#)

*Chief Patron:* Hackworth

**Summary:**

Provides that life begins at conception and no abortion is authorized or shall be performed on an unborn child except when (i) a physician determines, in reasonable medical judgment, that a medical emergency exists, defined in the bill such that the abortion is performed to save the life of the mother, or (ii) the probable gestational age of the unborn child is 20 weeks or less and the pregnancy is the result of rape or incest in which an official police report has been filed alleging the offense of rape or incest and such abortion is performed by a licensed physician in a hospital. The bill provides that any person who performs an unlawful abortion is guilty of a Class 4 felony.

**Status:**

01/10/23 Senate: Referred to Committee on Education and Health  
01/13/23 Senate: Impact statement from VCSC (SB1284)  
01/17/23 Senate: Assigned Education sub: Health Professions  
01/25/23 Senate: Impact statement from DPB (SB1284)  
01/26/23 Senate: Passed by indefinitely in Education and Health (10-Y 5-N)

**SB1295** [Higher educational institutions, public; duties of governing boards,](#)

## [curriculum transparency.](#)

*Chief Patron:* DeSteph

### *Summary:*

Directs the governing board of each public institution of higher education to (i) adopt policies or guidelines for soliciting industry input in the institution's program review processes and curriculum development at the unit or department level and (ii) develop procedures for incorporating the attainment of industry credentials into the institution's existing degree programs to increase degree relevancy and ensure more seamless pathways from higher education to the workforce.

### **Status:**

01/10/23 Senate: Prefiled and ordered printed; offered 01/11/23 23103331D

01/10/23 Senate: Referred to Committee on Education and Health

01/24/23 Senate: Impact statement from DPB (SB1295)

01/27/23 Senate: Assigned Education sub: Higher Education

02/02/23 Senate: Passed by indefinitely in Education and Health (9-Y 6-N)

## [SB1297 In-person visitation; policies and procedures at certain facilities, definition of 'facility.'](#)

*Chief Patron:* DeSteph

### *Summary:*

Requires hospitals, nursing homes, certified nursing facilities, hospices or hospice facilities, assisted living facilities, and intermediate care facilities to establish certain in-person visitation policies and procedures. The bill (i) requires that such policies include screening, personal protective equipment, and other infection control protocols for visitors; (ii) prohibits such policies from requiring the visitor to provide proof of immunization or vaccination; (iii) requires such policies to allow consensual physical contact between the visitor and the resident, client, or patient of the facility; (iv) authorizes the resident, client, or patient to designate an essential caregiver and establishes requirements related to essential caregivers; (v) requires that such policies allow unrestricted in-person visitation under certain circumstances; (vi) provides that the policies and procedures may require visitors to agree in writing to follow such policies and procedures; (vii) authorizes facilities to suspend in-person visitation of specific visitors for violations of such agreement; (viii) requires facilities to make their in-person policies and procedures available to the Department of Health for review when applying for initial licensure, licensure renewal, or change of ownership; and (ix) requires facilities and the Department of Health to make their in-person visitation policies and procedures easily accessible from their websites.

### **Status:**

01/27/23 Senate: Rereferred from Rehabilitation and Social Services (9-Y 0-N)

01/27/23 Senate: Rereferred to Education and Health

01/27/23 Senate: Assigned Education sub: Health

01/27/23 Senate: Impact statement from DPB (SB1297)

02/02/23 Senate: Passed by indefinitely in Education and Health (13-Y 1-N 1-A)

## **SB1307 [University of Virginia; expands membership of board of visitors.](#)**

**Chief Patron:** Deeds

### **Summary:**

Expands the membership of the University of Virginia board of visitors to include two nonvoting advisory members consisting of one faculty member of the University and one staff member of the University. The advisory faculty member shall be selected by the University faculty and the advisory staff member shall be selected by the University staff in the manner deemed appropriate by the faculty and staff, respectively.

### **Status:**

01/13/23 Senate: Assigned Education sub: Higher Education  
01/19/23 Senate: Reported from Education and Health (9-Y 6-N)  
01/20/23 Senate: Constitutional reading dispensed (38-Y 0-N)  
01/23/23 Senate: Read second time and engrossed  
01/24/23 Senate: Read third time and passed Senate (22-Y 16-N)

## **SB1315 [Localities, public & private schools, higher educational institution, & employers; face coverings.](#)**

**Chief Patron:** Chase

### **Summary:**

Prohibits any locality, school board, division superintendent, school principal, private school, institution of higher education, or employer from adopting, implementing, or enforcing any policy, rule, or order related to COVID-19 that requires individuals to wear a face covering.

### **Status:**

01/10/23 Senate: Prefiled and ordered printed; offered 01/11/23 23102309D  
01/10/23 Senate: Referred to Committee on Education and Health  
01/27/23 Senate: Assigned Education sub: Health  
01/30/23 Senate: Impact statement from DPB (SB1315)  
02/02/23 Senate: Passed by indefinitely in Education and Health (15-Y 0-N)

## **SB1351 [Virginia Freedom of Information Act; electronic meetings, local and regional public bodies.](#)**

**Companion Bill:** HB2050

**Chief Patron:** Marsden

**Summary:**

Allows, with certain exceptions, local and regional public bodies to convene as many all-virtual public meetings as each such public body deems acceptable in its individual remote participation meeting policy, to be adopted at least once annually by recorded vote at a public meeting. Current law limits all-virtual public meetings to no more than two times per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater, and prohibits any such meeting from being held consecutively with another all-virtual public meeting.

**Status:**

01/30/23 Senate: Reading of substitute waived  
01/30/23 Senate: Committee substitute agreed to 23105274D-S1  
01/30/23 Senate: Engrossed by Senate - committee substitute SB1351S1  
01/30/23 Senate: Impact statement from DPB (SB1351S1)  
01/31/23 Senate: Read third time and passed Senate (25-Y 14-N)

**SB1356 [Virginia Promise to Veterans Act; established, report.](#)**

**Companion Bill:** HB1890

**Chief Patron:** Reeves

**Summary:**

Establishes the Virginia Promise to Veterans Act for the purpose of removing barriers to higher education for veterans of the uniformed services, as defined in the bill, and assisting such veterans in making the transition to civilian life in the Commonwealth. In furtherance of this purpose, the bill directs the governing board of each public institution of higher education in the Commonwealth to provide for the guaranteed acceptance of any eligible veteran applicant, defined in the bill as any applicant who served as a member of the uniformed services and (i) graduated from a high school in the Commonwealth or (ii) served in the uniformed services while assigned to a location in the Commonwealth and who otherwise meets the admissions requirements to enroll as an undergraduate student at such institution. The bill requires the State Council of Higher Education for Virginia, in collaboration with the Virginia Community College System, to develop guidelines relating to the administration of the provisions of the chapter for the governing board of each public institution of higher education and to develop guidelines for potential eligible veteran applicants, including any additional resources available to eligible veterans applying under the Act.

**Status:**

01/13/23 Senate: Assigned Education sub: Higher Education  
01/19/23 Senate: Reported from Education and Health (15-Y 0-N)  
01/19/23 Senate: Rereferred to Finance and Appropriations  
01/24/23 Senate: Impact statement from DPB (SB1356)  
01/31/23 Senate: Passed by indefinitely in Finance and Appropriations (13-Y 1-N)

**SB1358 [Higher educational institutions; duties of governing boards, student](#)**



## **enrollment growth.**

**Chief Patron:** Norment

### **Summary:**

Directs the governing board of each public institution of higher education to adopt policies providing that the percentage of students enrolled at such public institution of higher education must be capped at a two percent increase over a biennium.

### **Status:**

01/11/23 Senate: Referred to Committee on Education and Health

01/13/23 Senate: Assigned Education sub: Higher Education

01/26/23 Senate: Senate subcommittee amendments and substitutes offered

01/31/23 Senate: Impact statement from DPB (SB1358)

02/02/23 Senate: Passed by indefinitely in Education and Health (12-Y 2-N 1-A)

## **SB1373 Higher educational institutions; human trafficking awareness and prevention training required.**

**Companion Bill:** HB1555

**Chief Patron:** Vogel

### **Summary:**

Directs the governing board of each public institution of higher education to develop and implement policies requiring a trauma-informed human trafficking awareness and prevention training program be provided to and completed by all first-year students as a part of such institution's first-year orientation program. The bill also directs the State Council of Higher Education for Virginia to encourage private institutions of higher education to develop and implement policies to provide such a human trafficking awareness and prevention training program as a part of their first-year orientation programs.

### **Status:**

01/19/23 Senate: Reported from Education and Health (15-Y 0-N)

01/19/23 Senate: Impact statement from DPB (SB1373)

01/20/23 Senate: Constitutional reading dispensed (38-Y 0-N)

01/23/23 Senate: Read second time and engrossed

01/24/23 Senate: Read third time and passed Senate (39-Y 0-N)

## **SB1375 Virginia Public Procurement Act; prohibition on boycotting Israel, civil penalty.**

**Companion Bill:** HB1898

**Chief Patron:** Vogel

**Summary:**

Prohibits public bodies from entering into a contract in excess of \$100,000 with any contractor having more than an average of 10 employees for the previous 12 months that boycotts Israel. The bill requires any such contractor seeking to contract with a public body under the provisions of the Virginia Public Procurement Act to certify in writing that it will not, during the performance of the contract, boycott Israel. The bill provides that any contractor that violates the provisions of the bill shall be debarred from contracting with all public bodies of the Commonwealth until it can prove that it no longer boycotts Israel. Such contractor is also subject to a civil penalty in an amount equal to three times the amount of the contract. Public bodies are required to maintain and report to the Department of General Services, for inclusion in a publicly available online database, a list of contractors that violated the prohibition and have been debarred. The bill also prohibits public institutions of higher education from boycotting Israel and directs the governing board of each public institution of higher education to establish guidelines that require (i) any entity under the control of the governing board to certify in writing that it shall not boycott Israel; (ii) a quarterly review and report by the governing board of all such entities to determine whether any such entity has boycotted Israel; (iii) appropriate penalties for any entity that has boycotted Israel; and (iv) all written certifications, quarterly reports, and penalty information to be sent to the State Council of Higher Education for Virginia for inclusion in a publicly available online database.

**Status:**

01/11/23 Senate: Referred to Committee on General Laws and Technology  
01/25/23 Senate: Impact statement from DPB (SB1375)  
01/25/23 Senate: Senate committee, floor amendments and substitutes offered  
01/25/23 Senate: Senate committee, floor amendments and substitutes offered  
01/25/23 Senate: Passed by indefinitely in General Laws and Technology (9-Y 6-N)

**SB1385 [Abortion; when lawful, 15-week gestational age, exceptions, penalty.](#)**

**Chief Patron:** Newman

**Summary:**

Makes it a Class 4 felony for any physician licensed by the Board of Medicine to practice medicine and surgery to terminate or attempt to terminate a human pregnancy or aid or assist in the termination of a human pregnancy by performing an abortion or causing a miscarriage on any woman if the physician determines using best clinical judgment that the gestational age of the unborn child is more than 15 weeks, unless (i) the physician determines, based upon best clinical judgment, that the continuation of the pregnancy will result in the death of the woman or substantially and irreversibly impair one or more of such woman's major bodily functions, not including psychological or emotional conditions, or (ii) the pregnancy is the result of rape or incest. The bill further requires that any abortion procedure performed after it is determined that the unborn child's gestational age is more than 15 weeks is required to be performed in a hospital licensed by the State Department of Health or operated by the Department of Behavioral Health and Developmental Services. The bill provides that its provisions shall be known as the Pain-Capable Unborn Child Protection Act.

**Status:**

01/11/23 Senate: Referred to Committee on Education and Health  
01/13/23 Senate: Impact statement from VCSC (SB1385)  
01/17/23 Senate: Assigned Education sub: Health Professions  
01/20/23 Senate: Senate subcommittee amendments and substitutes offered  
01/26/23 Senate: Passed by indefinitely in Education and Health (10-Y 5-N)

## **SB1386 [Higher educational institutions, public; tuition & financial aid, dependency override application.](#)**

**Companion Bill:** HB2114

**Chief Patron:** Deeds

### **Summary:**

Requires each public institution of higher education to create and maintain a form by which a student may apply for a dependency override, defined in the bill as the documented determination by a financial aid administrator pursuant to relevant federal law that, for the purposes of tuition and financial aid eligibility determinations, a student is an independent student by reason of other unusual circumstances. The bill requires such form to (i) be published electronically on the financial aid page of the institution's website; (ii) clearly explain, in language understandable to a student enrolled at the institution, the purposes of a dependency override, potential circumstances that may qualify a student for a dependency override, and common circumstances that do not qualify a student for a dependency override; (iii) explicitly include, in language understandable to a student enrolled at the institution, a statement that institutions of higher education are permitted to accept a range of documents to substantiate dependency override applications, including those documents specified by relevant federal law; and (iv) explicitly include, in language understandable to a student enrolled at the institution, the option to apply for a dependency override based on certain factors enumerated in the bill.

### **Status:**

01/26/23 Senate: Rereferred to Finance and Appropriations  
01/30/23 Senate: Impact statement from DPB (SB1386S1)  
02/01/23 Senate: Senate committee, floor amendments and substitutes offered  
02/01/23 Senate: Reported from Finance and Appropriations with amendment (16-Y 0-N)  
02/02/23 Senate: Constitutional reading dispensed (40-Y 0-N)

## **SB1410 [Higher educational institutions, public; duties of governing boards.](#)**

**Chief Patron:** Hashmi

### **Summary:**

Directs the governing board of each public institution of higher education to develop policies and institutional regulations increasing protections of academic freedom and freedom of expression in higher education.

### **Status:**

01/11/23 Senate: Prefiled and ordered printed; offered 01/11/23 23102027D  
01/11/23 Senate: Referred to Committee on Education and Health  
01/20/23 Senate: Assigned Education sub: Higher Education  
01/31/23 Senate: Impact statement from DPB (SB1410)  
02/02/23 Senate: Stricken at request of patron in Education and Health (15-Y 0-N)

**SB1434 [Higher educational institutions, public; use of certain endowment fund investment returns.](#)**

**Chief Patron:** Suetterlein

**Summary:**

Declares it the public policy of the Commonwealth that any foundation, investment management company, or other asset manager associated with a public institution of higher education that manages endowment funds of such public institution of higher education with a value exceeding \$250 million shall be required to allocate at least 15 percent of the investment returns on such endowment funds back to such public institution of higher education on an annual basis for the purpose of ensuring access to and affordability of attending the institution for students.

**Status:**

01/11/23 Senate: Prefiled and ordered printed; offered 01/11/23 23101490D  
01/11/23 Senate: Referred to Committee on Education and Health  
01/20/23 Senate: Assigned Education sub: Higher Education  
01/31/23 Senate: Impact statement from DPB (SB1434)  
02/02/23 Senate: Passed by indefinitely in Education and Health (10-Y 5-N)

**SB1459 [Administration of state government; prohibited applications and websites.](#)**

**Chief Patron:** McDougle

**Summary:**

Prohibits any employee or agent of any executive branch agency or person or entity contracting with any such agency from downloading or using any application, including TikTok or WeChat, or accessing any website developed by ByteDance Ltd. or Tencent Holdings Ltd. (i) on any state-issued device or state-owned or state-leased equipment, including mobile phones, desktop computers, laptop computers, tablets, or other devices capable of connecting to the Internet, or (ii) while connected to any wired or wireless Internet network owned, operated, or maintained by the Commonwealth.

**Status:**

01/13/23 Senate: Presented and ordered printed 23103506D  
01/13/23 Senate: Referred to Committee on General Laws and Technology  
01/18/23 Senate: Impact statement from DPB (SB1459)  
02/01/23 Senate: Senate committee, floor amendments and substitutes offered

**SB1461 [Virginia College Opportunity Endowment and Fund; established.](#)**

**Chief Patron:** Surovell

**Summary:**

Directs the board of the Virginia College Savings Plan (the Plan) to deposit \$250 million per year of surplus moneys from the Plan's fund in the Virginia College Opportunity Fund (the Fund), established by the bill. The bill provides that such deposit shall not be made or shall be reduced in any year in which the College Opportunity Independent Advisory Committee (the Committee), established by the bill, determines that certain conditions relating to the Plan's funded status are not met. The Committee is established by the bill as a policy committee in the executive branch, for the purpose of determining the amount of deposits to be made to the Fund.

The bill provides that financial management of the Fund is the responsibility of the board of the Virginia College Savings Plan but authorizes the board of the Virginia College Opportunity Endowment, also established by the bill, to manage a scholarship program funded by the Fund. The bill establishes an individual and corporate income tax subtraction for donations to the Fund.

Under the bill, the Endowment provides scholarships to students who attend or plan to attend one of 12 eligible universities named in the bill. The bill provides that only such students who meet the eligibility requirements for a Pell Grant and commit to being employed in Virginia, or being enrolled in postgraduate education in Virginia, for at least eight years after graduation from the eligible university are eligible for such scholarships.

**Status:**

01/13/23 Senate: Presented and ordered printed 23104413D

01/13/23 Senate: Referred to Committee on Education and Health

01/27/23 Senate: Assigned Education sub: Higher Education

01/30/23 Senate: Impact statement from DPB (SB1461)

02/02/23 Senate: Passed by indefinitely in Education and Health (10-Y 3-N 1-A)

**SB1484 [Firearm or explosive material; carrying within Capitol Square or building state-owned or leased.](#)**

**Companion Bill:** HB2365

**Chief Patron:** Deeds

**Summary:**

Limits the exemption from the prohibition on the carrying of any firearm or explosive material within any building owned or leased by the Commonwealth or agency thereof or any office where employees of the Commonwealth or any agency thereof are regularly present for the purpose of performing their official duties that currently applies to any property owned or operated by a public institution of higher

education to instead apply to any individual within a building owned or operated by a public institution of higher education who possesses a weapon as part of such public institution of higher education's curriculum or activities or as part of any organization authorized by the public institution of higher education to conduct its programs or activities within such building.

**Status:**

01/23/23 Senate: Reported from Judiciary (10-Y 5-N)  
01/23/23 Senate: Rereferred to Finance and Appropriations  
01/26/23 Senate: Impact statement from VCSC (SB1484)  
02/01/23 Senate: Senate subcommittee amendments and substitutes offered  
02/02/23 Senate: Reported from Finance and Appropriations (13-Y 3-N)

**SB1491 [Virginia Public Procurement Act; construction management, contract requirements.](#)**

**Companion Bill:** HB2450

**Chief Patron:** Bell

**Summary:**

Provides that construction management contracts shall require that the state public body, local public body, covered institution, or their designated project director shall have the authority to make a determination about whether to allow the construction manager to propose or bid on particular contracts if, given market and other relevant information, the state public body, local public body, covered institution, or their designated project director determines that such action may be in the best interest of the project and the Commonwealth. The bill also provides that construction management contracts shall require that the state public body, local public body, or covered institution shall have the option to negotiate particular contracts in an open-book manner with the construction manager at risk or the state public body, local public body, or covered institution may require the construction manager to submit a sealed bid or proposal to the state public body, local public body, covered institution, their designated project director, or procurement officer consistent with established procurement processes.

**Status:**

02/01/23 Senate: Senate committee, floor amendments and substitutes offered  
02/01/23 Senate: Reported from General Laws and Technology with substitute (14-Y 0-N)  
02/01/23 Senate: Committee substitute printed 23105713D-S1  
02/01/23 Senate: Rereferred to Finance and Appropriations  
02/02/23 Senate: Reported from Finance and Appropriations (12-Y 4-N)

**SB1522 [Cloud Computing Cluster Infrastructure Grant Fund; created.](#)**

**Companion Bill:** HB2479

**Chief Patron:** Barker

**Summary:**

Creates the Cloud Computing Cluster Infrastructure Grant Fund for the purpose of providing grants to qualified companies, defined in the bill as a company, including its affiliates, that enters into a memorandum of understanding with the Virginia Economic Development Partnership Authority and is expected to (i) make or cause to be made a capital investment of at least \$50 billion and (ii) create at least 1,500 new full-time jobs that pay an average annual wage of at least \$122,300. The bill requires that, in order to become a qualified company, a company successfully complete a qualification process that includes an endorsement from the MEI Commission and approval in the appropriation act for the amount of grants that are to be provided.

The bill also extends the data center sales and use tax exemption to 2040 for a data center operator that (i) makes a capital investment of at least \$35 billion in data centers in the Commonwealth and (ii) creates at least 1,000 direct new jobs with an average wage of at least \$122,300. Such data center operator shall be eligible for further extension to 2050 if the data center operator (i) makes a total capital investment of at least \$100 billion, inclusive of the initial \$35 billion investment, and (ii) creates a total of at least 2,500 direct new jobs with an average wage of at least \$122,300, inclusive of the 1,000 jobs initially created.

**Status:**

01/20/23 Senate: Presented and ordered printed 23102446D  
01/20/23 Senate: Referred to Committee on Finance and Appropriations  
01/31/23 Senate: Impact statement from DPB (SB1522)  
02/01/23 Senate: Reported from Finance and Appropriations (14-Y 1-N)  
02/02/23 Senate: Constitutional reading dispensed (40-Y 0-N)

**SB1526 [Certificate of public need; exempts certain outpatient cardiology-related services.](#)**

**Chief Patron:** Norment

**Summary:**

Exempts from the requirements of a certificate of public need certain outpatient cardiology-related services performed in connection with a Department of Health or Division of Certificate of Public Need pilot program for cardiovascular single specialty use ambulatory surgery centers authorized by an executive order of the Governor that are approved for reimbursement and performed in a facility certified as a Medicare and Medicaid supplier by the Centers for Medicare and Medicaid Services and the Department of Medical Assistance Services.

**Status:**

01/20/23 Senate: Presented and ordered printed 23104478D  
01/20/23 Senate: Referred to Committee on Education and Health  
01/26/23 Senate: Impact statement from DPB (SB1526)  
01/27/23 Senate: Assigned Education sub: Health  
02/02/23 Senate: Stricken at request of patron in Education and Health (15-Y 0-N)

**SJ254**     [Constitutional amendment; establishing charter schools \(first reference\).](#)

*Chief Patron:* Obenshain

**Summary:**

Grants to the Board of Education the authority, subject to criteria and conditions as the General Assembly may prescribe, to establish charter schools within the school divisions of the Commonwealth.

**Status:**

01/10/23 Senate: Prefiled and ordered printed; offered 01/11/23 23102665D

01/10/23 Senate: Referred to Committee on Privileges and Elections

01/20/23 Senate: Assigned to P&E sub: Subcommittee #1

01/31/23 Senate: Passed by indefinitely in Privileges and Elections (9-Y 5-N)

**SJ276**     [Governor; confirming appointments.](#)

*Chief Patron:* Spruill

**Summary:**

Confirms appointments of certain persons made by Governor Glenn Youngkin and communicated to the General Assembly August 1, 2022.

**Status:**

01/23/23 Senate: Senate committee, floor amendments and substitutes offered

01/24/23 Senate: Senate committee, floor amendments and substitutes offered

01/31/23 Senate: Reported from Privileges and Elections with amendments (14-Y 0-N)

01/31/23 Senate: Senate committee, floor amendments and substitutes offered

02/02/23 Senate: Reading waived (40-Y 0-N)

**SJ297**     [Governor; confirming appointments.](#)

*Chief Patron:* Spruill

**Summary:**

Confirming appointments by the Governor of certain persons communicated to the General Assembly August 1, 2022.

**Status:**

01/31/23 Senate: Presented and ordered printed 23105928D

01/31/23 Senate: Referred to Committee on Privileges and Elections