

Legislative Report
University of Virginia -- Office of State Governmental Relations
Monday, January 30, 2017

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

Chief Patron: Landes

Summary:

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

Status:

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

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

01/25/17 House: Referred from Courts of Justice

01/25/17 House: Referred to Committee on Education

HB1402 [Higher educational institutions, public; certain positions require residency of the Commonwealth.](#)

Companion Bill: SB907

Chief Patron: Landes

Summary:

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

Status:

01/25/17 House: Committee substitute printed 17104390D-H1

01/26/17 House: Read first time

01/27/17 House: Read second time

01/27/17 House: Committee substitute agreed to 17104390D-H1

01/27/17 House: Engrossed by House - committee substitute HB1402H1

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

Chief Patron: Albo

Summary:

Renames as boards of trustees the boards of visitors of certain educational institutions in the Commonwealth, including baccalaureate public institutions of higher education. The bill prohibits public institutions of higher education from using (i) tuition revenue from any Virginia student to provide financial assistance to any Virginia student or non-Virginia student and (ii) more than five percent of

tuition revenue from non-Virginia students to provide financial assistance to non-Virginia students. The bill also requires the governing board of each public institution of higher education, except the Virginia Military Institute, Norfolk State University, and Virginia State University, to ensure that at least 75 percent of the undergraduate students enrolled at the institution have established domicile in the Commonwealth. The bill requires the governing boards of public institutions that do not meet such 75 percent threshold to submit to the State Council of Higher Education for Virginia a plan to incrementally increase enrolled undergraduate Virginia students each academic year to ensure compliance no later than the 2020-2021 academic year.

Status:

10/06/16 House: Referred to Committee on Education
01/13/17 House: Assigned Education sub: Higher Education
01/25/17 House: Referred from Education
01/25/17 House: Referred to Committee on Appropriations
01/25/17 House: Assigned App. sub: Higher Education

[HB1420 Certificate of public need; repeals certain requirement involving psychiatric beds, etc.](#)

Chief Patron: Farrell

Summary:

Repeals the requirement for a certificate of public need for certain projects involving mental hospitals or psychiatric hospitals and intermediate care facilities established primarily for the medical, psychiatric, or psychological treatment and rehabilitation of individuals with substance abuse.

Status:

10/26/16 House: Prefiled and ordered printed; offered 01/11/17 17100822D
10/26/16 House: Referred to Committee on Health, Welfare and Institutions
01/12/17 House: Assigned HWI sub: Subcommittee #3
01/25/17 House: Subcommittee recommends reporting (5-Y 0-N)
01/26/17 House: Impact statement from VDH (HB1420)

[HB1447 Higher educational institutions; establishment of substance abuse recovery housing program.](#)

Chief Patron: Miyares

Summary:

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

Status:

12/01/16 House: Prefiled and ordered printed; offered 01/11/17 17100569D
12/01/16 House: Referred to Committee on Education
01/13/17 House: Assigned Education sub: Higher Education
01/16/17 House: Impact statement from DPB (HB1447)
01/24/17 House: Subcommittee recommends laying on the table

HB1452 [Higher educational institutions; graduation requirements, course in Western civilization, etc.](#)

Chief Patron: Miyares

Summary:

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

Status:

12/02/16 House: Prefiled and ordered printed; offered 01/11/17 17100842D
12/02/16 House: Referred to Committee on Education
01/12/17 House: Impact statement from DPB (HB1452)
01/13/17 House: Assigned Education sub: Higher Education
01/24/17 House: Subcommittee recommends laying on the table

HB1497 [Requirements for ophthalmic prescriptions; eye examinations; penalty.](#)

Chief Patron: Farrell

Summary:

Defines "eye examination" and "ophthalmic prescription" and sets out requirements for each. The bill prohibits the dispensing of eyeglasses or contact lenses unless the patient provides a valid ophthalmic prescription and prohibits ophthalmologists and optometrists from requiring patients to purchase ophthalmic goods, pay additional fees, or sign a waiver or release in exchange for a copy of an ophthalmic prescription. The bill provides that a violation of its requirements is a Class 2 misdemeanor.

Status:

01/24/17 House: Subcommittee recommends reporting with substitute (11-Y 0-N)
01/26/17 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N)
01/26/17 House: Committee substitute printed 17104155D-H1
01/26/17 House: Impact statement from VDH (HB1497H1)

01/27/17 House: Read first time

HB1500 Budget bill; appropriations for 2016-2018 biennium. Amending Chapter 780, 2016 Acts.

Companion Bill: SB900

Chief Patron: Jones

Summary:

Amends Chapter 780, 2016 Acts of Assembly.

Status:

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

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

HB1508 Department of Behavioral Health and Developmental Services; critical incident reports.

Chief Patron: Hope

Summary:

Requires the Commissioner of Behavioral Health and Developmental Services to provide a written report setting forth the known facts of critical incidents or deaths of individuals receiving services in programs operated or licensed by the Department of Behavioral Health and Developmental Services to the Director of the Commonwealth's designated protection and advocacy system within 15 working days of the critical incident or death. Currently, reports are required only for critical incidents or deaths occurring at facilities operated by the Department.

Status:

12/19/16 House: Prefiled and ordered printed; offered 01/11/17 17101839D

12/19/16 House: Referred to Committee on Health, Welfare and Institutions

01/12/17 House: Assigned HWI sub: Subcommittee #2

01/19/17 House: Impact statement from DPB (HB1508)

HB1512 Higher educational institutions, public; academic credit for American Sign Language courses.

Chief Patron: Bell, Richard P.

Summary:

Clarifies that each public institution of higher education is required to count credit received for

successful completion of American Sign Language courses at institutions of higher education from which students transfer or transfer such course credit toward satisfaction of the foreign language entrance requirements of the public institution of higher education.

Status:

01/26/17 House: Impact statement from DPB (HB1512H1)
01/26/17 House: Read first time
01/27/17 House: Read second time
01/27/17 House: Committee substitute agreed to 17104315D-H1
01/27/17 House: Engrossed by House - committee substitute HB1512H1

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

Chief Patron: LeMunyon

Summary:

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

Status:

12/27/16 House: Referred to Committee on General Laws
01/11/17 House: Assigned GL sub: Subcommittee #2
01/12/17 House: Impact statement from DHCD (HB1539)
01/26/17 House: Impact statement from DPB (HB1539)

01/26/17 House: Subcommittee recommends reporting with amendments (7-Y 0-N)

HB1544 [Certificates of public need; alternative plans of compliance.](#)

Chief Patron: Collins

Summary:

Provides that in cases in which a certificate holder holds more than one certificate of public need with conditions, and the certificate holder is unable to satisfy the conditions of one certificate, the Department of Health may provide for satisfaction of the conditions on that certificate by the provision of care at a reduced rate to indigent individuals in excess of the amount required by another certificate issued to the same holder, in an amount approved by the Department as part of an alternative plan of compliance.

Status:

12/29/16 House: Prefiled and ordered printed; offered 01/11/17 17101109D

12/29/16 House: Referred to Committee on Health, Welfare and Institutions

01/12/17 House: Assigned HWI sub: Subcommittee #3

01/13/17 House: Impact statement from VDH (HB1544)

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

Chief Patron: Ware

Summary:

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

Status:

12/29/16 House: Referred to Committee on General Laws

01/11/17 House: Assigned GL sub: Subcommittee #4

01/19/17 House: Impact statement from DPB (HB1555)

01/26/17 House: Subcommittee recommends reporting with substitute (5-Y 0-N)

01/26/17 House: Subcommittee recommends referring to Committee on Appropriations

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

Chief Patron: Marshall, R.G.

Summary:

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

Status:

01/03/17 House: Prefiled and ordered printed; offered 01/11/17 17103140D
01/03/17 House: Referred to Committee on General Laws
01/16/17 House: Assigned GL sub: Subcommittee #4
01/19/17 House: Subcommittee recommends laying on the table

[HB1634 Dept of Human Resources Management; criminal background checks; state agency positions.](#)

Companion Bill: SB1293

Chief Patron: Sullivan

Summary:

Requires each state agency to create and annually update a list of the positions that it has designated as sensitive and submit the list to the Department of Human Resources Management by July 1 of each year. The bill clarifies who would be subject to a criminal background investigation in a sensitive position. The bill expands the definition of sensitive position to include those positions (i) responsible for the health, safety, and welfare of citizens or the protection of critical infrastructures; (ii) that have access to sensitive information, including information obtained from the Internal Revenue Service; and (iii) that are otherwise required by state or federal law to be designated as sensitive. The bill contains an emergency clause.

Status:

01/04/17 House: Prefiled and ordered printed with emergency clause; offered 01/13/16 17101387D
01/04/17 House: Referred to Committee on General Laws
01/11/17 House: Assigned GL sub: Subcommittee #4
01/11/17 House: Impact statement from DPB (HB1634)

[HB1662 Public institutions of higher education; course credit; dual enrollment courses.](#)

Companion Bill: SB1534

Chief Patron: Greason

Summary:

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

Status:

01/05/17 House: Prefiled and ordered printed; offered 01/11/17 17101319D
01/05/17 House: Referred to Committee on Education
01/13/17 House: Assigned Education sub: Higher Education
01/24/17 House: Subcommittee recommends reporting with substitute (7-Y 0-N)
01/26/17 House: Impact statement from DPB (HB1662)

HB1667 [Public contracts; gender identity, civil liability.](#)

Chief Patron: Marshall, R.G.

Summary:

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

Status:

01/05/17 House: Prefiled and ordered printed; offered 01/11/17 17103144D
01/05/17 House: Referred to Committee on General Laws
01/11/17 House: Assigned GL sub: Subcommittee #2
01/20/17 House: Impact statement from DPB (HB1667)

HB1825 [Ticket resale; limitations on selling on Internet ticketing platform, penalty.](#)

Companion Bill: SB1425

Chief Patron: Albo

Summary:

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

Status:

01/27/17 House: Floor substitute printed 17104874D-H2 (Albo)
01/27/17 House: Read second time
01/27/17 House: Committee substitute rejected 17104132D-H1
01/27/17 House: Substitute by Delegate Albo agreed to 17104874D-H2
01/27/17 House: Engrossed by House - floor substitute HB1825H2

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

Chief Patron: Knight

Summary:

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

Status:

01/24/17 House: Read second time and engrossed
01/25/17 House: Read third time and passed House (83-Y 14-N)
01/25/17 House: VOTE: PASSAGE (83-Y 14-N)
01/26/17 Senate: Constitutional reading dispensed
01/26/17 Senate: Referred to Committee on Rehabilitation and Social Services

HB1854 [Conflicts of Interests Acts, State & Local Government & General Assembly, lobbyist, filing.](#)

Companion Bill: SB1312

Chief Patron: Gilbert

Summary:

Makes numerous changes to the laws governing lobbyist reporting, the conflict of interest acts, and the Virginia Conflict of Interest and Ethics Advisory Council (the Council) including (i) allowing the Secretary of the Commonwealth to suspend any penalty that could be assessed against a lobbyist's

principal for failing to file the required disclosure if such failure is beyond the control of the principal; (ii) clarifying the procedures for terminating the services of a lobbyist; (iii) requiring that lobbyist registration forms be filed electronically; (iv) eliminating the requirement that a lobbyist list the names, addresses, and telephone numbers of all other lobbyists representing the same principal; (v) creating a separate statement for a lobbyist's principal to waive the principal signature requirement on the lobbyist disclosure form; (vi) granting the clerk of the local governing body or school board the same power as the Council to redact from any disclosure form released to the public any residential address, personal telephone number, or signature; (vii) eliminating the minimum duration of the mandatory refresher ethics orientation session for General Assembly members; (viii) allowing written informal advice from the Council to be admitted into evidence in any trial of a person for violating the conflict of interest acts; (ix) clarifying the Council's authority to grant extensions from the filing deadline and imposing a \$250 civil penalty on agency heads or local clerks who fail to provide the disclosure forms to filers in a timely manner; and (x) directing that candidates for statewide or constitutional office and the General Assembly are required to file a disclosure form with the State Board of Elections and not the Council. The bill also extends the filing deadline for disclosure forms from January 15 to February 1 and clarifies the reporting period covered by the disclosure forms. The bill also eliminates events open to individuals who share a common interest from the definition of a "widely attended event," attendance at which was not subject to the gift cap. The bill also exempts from the definition of a "gift" (a) gifts from a person's child-in-law; (b) gifts related to a person's volunteer service; (c) meals provided for attendance at an official meeting of the Commonwealth, its political subdivisions, or certain other entities; and (d) gifts given on a special occasion by an individual in a bona fide personal relationship with the donee. The bill also exempts members of the judiciary from certain provisions governing prohibited gifts and prohibited personal interests in a transaction where such members are already subject to similar or greater prohibitions under the Canons of Judicial Conduct for the State of Virginia. Finally, the bill contains technical amendments. The bill contains an emergency clause that applies to the changes described in clause (x).

Status:

01/17/17 House: Referred from General Laws

01/17/17 House: Referred to Committee for Courts of Justice

01/23/17 House: Assigned Courts sub: Ethics

01/27/17 House: Impact statement from DPB (HB1854)

01/27/17 House: Subcommittee recommends reporting with amendments (9-Y 0-N)

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

Chief Patron: Lopez

Summary:

Declares eligible for in-state tuition any individual who (i) attended a public or private high school in the Commonwealth for at least three years; (ii) graduated from a public or private high school in the Commonwealth or passed a high school equivalency examination approved by the Board of Education; (iii) registers as an entering student or is enrolled in a public institution of higher education; (iv) provides an affidavit to the public institution of higher education in which he has registered as an entering student or is enrolled stating that he has filed an application to become a permanent resident of the United States

and is actively pursuing such permanent residency or will do so as soon as he becomes eligible for such permanent residency; and (v) submits evidence to the institution at which he has registered as an entering student or is enrolled that he, or in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis, has filed, unless exempted by state law, Virginia income tax returns for at least three years prior to the date of registration as an entering student or enrollment. The bill provides that any such individual shall remain eligible for in-state tuition for as long as he maintains continuous enrollment in the public institution of higher education and his application for permanent residency has not been denied. The bill also prohibits any student who became eligible for in-state tuition as a result of his lawful presence in the United States pursuant to approval under the Deferred Action for Childhood Arrivals program or any other federal deferred action program from being deemed ineligible for in-state tuition by virtue of the elimination or modification of any such program.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17103745D
01/10/17 House: Referred to Committee on Education
01/20/17 House: Assigned Education sub: Higher Education
01/26/17 House: Impact statement from DPB (HB1857)

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

Chief Patron: Pogge

Summary:

Excludes from mandatory disclosure library records that can be used to identify any library patron under the age of 18 years. The bill provides that access shall not be denied to the parent, including a noncustodial parent, or guardian of such library patron.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17101865D
01/10/17 House: Referred to Committee on General Laws
01/16/17 House: Assigned GL sub: Subcommittee #2
01/23/17 House: Impact statement from DPB (HB1876)
01/26/17 House: Subcommittee recommends reporting (7-Y 0-N)

HB1885 [Opioids; limit on amount prescribed.](#)

Chief Patron: Hugo

Summary:

Provides that a prescriber who prescribes a controlled substance containing an opioid to a patient shall not prescribe an amount greater than a seven-day supply unless (i) in the professional medical judgment of the prescriber, more than a seven-day supply of the controlled substance containing an opioid is required to stabilize the patient's acute medical condition, or (ii) the prescription is for the management

of pain associated with cancer, use in palliative or hospice care, or management of chronic pain not associated with cancer. The bill also requires a prescriber to obtain information from the Prescription Monitoring Program at the time of initiating a new course of treatment that includes the prescribing of opioids anticipated to last more than seven consecutive days. Currently, a prescriber must request such information when a course of opioid treatment is expected to last more than 14 consecutive days.

Status:

01/23/17 House: Subcommittee recommends reporting with substitute (9-Y 0-N)
01/26/17 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N)
01/26/17 House: Committee substitute printed 17104611D-H1
01/26/17 House: Impact statement from VDH (HB1885H1)
01/27/17 House: Read first time

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

Chief Patron: Hugo

Summary:

Requires the governing board of each public institution of higher education, except for the Virginia Military Institute, Norfolk State University, and Virginia State University, to establish policies requiring that at least 75 percent of undergraduate students admitted to the institution have established domicile in the Commonwealth. The bill requires each such governing board to recover any lost revenue caused by this requirement by increasing the tuition charged to undergraduate non-Virginia students. The bill requires compliance with such requirements and policies beginning no later than June 30, 2022.

Status:

01/20/17 House: Assigned Education sub: Higher Education
01/25/17 House: Referred from Education
01/25/17 House: Referred to Committee on Appropriations
01/25/17 House: Assigned App. sub: Higher Education
01/27/17 House: Impact statement from DPB (HB1886)

HB1887 [Higher educational institutions; tuition assistance for non-Virginia students.](#)

Chief Patron: Hugo

Summary:

Prohibits each public institution of higher education from using any proceeds from state debt or revenues generated from state taxes and fees that are appropriated to such institution to offer any form of tuition assistance to any non-Virginia student and requires each public institution of higher education to separately account for such proceeds and revenues and provide a report of expenditures from such

account to the House Committee on Appropriations and the Senate Committee on Finance upon the request of such committees.

Status:

01/10/17 House: Referred to Committee on Education
01/20/17 House: Assigned Education sub: Higher Education
01/25/17 House: Referred from Education
01/25/17 House: Referred to Committee on Appropriations
01/25/17 House: Assigned App. sub: Higher Education

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

Chief Patron: Miyares

Summary:

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

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17100810D
01/10/17 House: Referred to Committee on Education
01/18/17 House: Impact statement from DPB (HB1892)
01/20/17 House: Assigned Education sub: Higher Education

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

Companion Bill: SB1036

Chief Patron: Price

Summary:

Establishes the Virginia Student Loan Refinancing Authority (the Authority), to be governed by a 10-member board, for the purpose of developing and implementing a program by which the Authority may guarantee the obligations of an individual who incurred qualified education loan debt as a Virginia student at an institution of higher education in the Commonwealth under loans that refinance such education loan debt. The measure limits eligibility to individuals who have not received, and are not eligible to receive, relief under applicable federal student loan repayment or loan forgiveness programs. The Authority is authorized to issue bonds to finance its obligations under such loan guarantees.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17101352D
01/10/17 House: Referred to Committee on Appropriations
01/13/17 House: Assigned App. sub: Higher Education
01/23/17 House: Subcommittee recommends laying on the table

HB1898 [Controlled substances; limits on prescription containing opioids.](#)

Companion Bill: SB1232

Chief Patron: Bell, John J.

Summary:

Prohibits a prescriber providing treatment for a patient in an emergency department of a corporation, facility, or institution licensed, owned, or operated by the Commonwealth to provide health care from prescribing a controlled substance containing an opioid in a quantity greater than a three-day supply, as determined in accordance with the prescriber's directions for use. The bill also prohibits a pharmacist from dispensing a controlled substance containing an opioid pursuant to a prescription issued by a prescriber providing treatment to a patient in the emergency department of a corporation, facility, or institution licensed, owned, or operated by the Commonwealth to provide health care unless the prescription complies with the requirements of the bill. The bill has an expiration date of July 1, 2020.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17101420D
01/10/17 House: Referred to Committee on Health, Welfare and Institutions
01/17/17 House: Assigned HWI sub: Subcommittee #1
01/20/17 House: Impact statement from VDH (HB1898)
01/23/17 House: Subcommittee recommends laying on the table

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

Chief Patron: Yost

Summary:

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

Status:

01/26/17 House: Read first time
01/27/17 House: Read second time
01/27/17 House: Committee amendment agreed to
01/27/17 House: Engrossed by House as amended HB1911E
01/27/17 House: Printed as engrossed 17101481D-E

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

Chief Patron: Simon

Summary:

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

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17103557D
01/10/17 House: Referred to Committee on Appropriations
01/13/17 House: Assigned App. sub: Higher Education
01/23/17 House: Subcommittee recommends laying on the table

HB1930 [Overdoses; safe reporting.](#)

Chief Patron: Carr

Summary:

Extends to an individual experiencing a drug-related or alcohol-related overdose the affirmative defense to prosecution for (i) simple possession of a controlled substance, marijuana, or controlled paraphernalia; (ii) intoxication in public; or (iii) the unlawful purchase, possession, or consumption of alcohol, if another individual, in good faith, sought or obtained emergency medical attention for the individual experiencing the overdose. Under current law, the affirmative defense applies only to an individual who sought or obtained emergency medical attention for another individual experiencing an overdose or to an individual who sought or obtained emergency medical attention for himself.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17100409D
01/10/17 House: Referred to Committee for Courts of Justice
01/13/17 House: Assigned Courts sub: Criminal Law

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

Chief Patron: Poindexter

Summary:

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

Status:

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

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

01/20/17 House: Assigned Education sub: Higher Education

01/26/17 House: Impact statement from DPB (HB2001)

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

Chief Patron: Poindexter

Summary:

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

Status:

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

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

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

01/20/17 House: Assigned Education sub: Higher Education

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

Companion Bill: SB1228

Chief Patron: Carr

Summary:

Sets out the rights and responsibilities under the Virginia Fair Housing Law (§ 36-96.1 et seq.) with respect to maintaining an assistance animal in a dwelling. The bill establishes a process for the review and approval or denial of a request from a person with a disability for reasonable accommodation to

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

Status:

01/24/17 House: Read second time and engrossed

01/25/17 House: Read third time and passed House (97-Y 0-N)

01/25/17 House: VOTE: PASSAGE (97-Y 0-N)

01/26/17 Senate: Constitutional reading dispensed

01/26/17 Senate: Referred to Committee on General Laws and Technology

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

Chief Patron: Marshall, R.G.

Summary:

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

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17103143D

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

01/13/17 House: Impact statement from DHCD (HB2011)

01/16/17 House: Assigned GL sub: Subcommittee #4

HB2042 [Suicide prevention; continuing education requirements for providers.](#)

Chief Patron: Murphy

Summary:

Requires continuing education related to suicide assessment, treatment, and management for all licensed doctors of medicine, osteopathy, and chiropractic medicine; licensed physician assistants; licensed nurse practitioners; licensed occupational therapists; licensed registered nurses; licensed practical nurses; licensed physical therapists and physical therapy assistants; licensed counselors, substance abuse treatment practitioners, and marriage and family therapists; licensed psychologists; and licensed social workers.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17101435D
01/10/17 House: Referred to Committee on Health, Welfare and Institutions
01/16/17 House: Impact statement from VDH (HB2042)
01/17/17 House: Assigned HWI sub: Subcommittee #1
01/24/17 House: Subcommittee recommends laying on the table

HB2077 [Emergency Services and Disaster Law of 2000; reference to firearms, emergency shelter.](#)

Chief Patron: Wilt

Summary:

Removes the authority of a governmental entity under the Emergency Services and Disaster Law of 2000 to limit lawful possession, carrying, transportation, sale, or transfer of firearms in any place or facility used by the governmental entity as an emergency shelter.

Status:

01/24/17 House: Read second time and engrossed
01/25/17 House: Read third time and passed House (65-Y 34-N)
01/25/17 House: VOTE: PASSAGE (65-Y 34-N)
01/26/17 Senate: Constitutional reading dispensed
01/26/17 Senate: Referred to Committee on General Laws and Technology

HB2101 [Health care providers; data collection.](#)

Chief Patron: Byron

Summary:

Defines "charity care" and "bad debt" as used in the context of certificate of public need, establishes a uniform framework for determining the value of charity care provided, and requires health care providers to report data on (i) the total amount of charity care, as defined in § 32.1-102.1, that the facility provides to indigent persons; (ii) the number of patients to whom charity care is provided; (iii) the specific services delivered to patients that are reported as charity care; and (iv) the portion of the total amount of charity care provided that each service represents. The bill also requires health care providers to report data and information identifying any parent company of the health care provider and

any subsidiary company of the health care provider and requires every hospital that receives a disproportionate share hospital adjustment to report the number of inpatient days attributable to patients eligible for both Medicare Part A and Supplemental Security Income, the number of inpatient days attributed to patients eligible for Medicaid but not Medicare Part A, and the total amount of the disproportionate share hospital adjustment received.

Status:

01/10/17 House: Prefiled and ordered printed; offered 01/11/17 17100333D
01/10/17 House: Referred to Committee on Health, Welfare and Institutions
01/16/17 House: Impact statement from VDH (HB2101)
01/17/17 House: Assigned HWI sub: Subcommittee #3
01/25/17 House: Subcommittee recommends reporting (5-Y 0-N)

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

Chief Patron: Kory

Summary:

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

Status:

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

HB2126 [Family and Medical Leave Insurance Program; established.](#)

Chief Patron: Levine

Summary:

Entitles individuals to a family and medical leave insurance (FMLI) benefit payment for each month they are engaged in qualified caregiving, not to exceed 60 qualified caregiving days per year. Qualified caregiving means an activity, except regular employment, for a reason an individual is entitled to leave under the federal Family and Medical Leave Act of 1993. Benefits would amount to 66 percent of an individual's monthly wages, based on highest annual earnings from the prior three years, up to a capped monthly amount, and would be indexed to the national average wage index. If a person takes the maximum number of days, the benefits would range from a minimum benefit of \$580 to a maximum benefit of \$4,000 per month in the program's first year. To be eligible for benefits, an individual is required to (i) be insured for disability insurance benefits under the Social Security Act at the time his application is filed; (ii) have earned income from employment during the 12 months before filing the

application; (iii) have filed an application for a FMLI benefit; and (iv) have been engaged in qualified caregiving, or anticipate being so engaged, during the 90-day period before the application is filed or within 30 days thereafter. The measure establishes the Family and Medical Insurance Leave Fund and requires FMLI benefit payments to be made only from this Fund. A tax of 0.2 percent is imposed on the wages received by every individual, and an excise tax of 0.2 percent of the wages paid in any calendar year by the employer with respect to their employment is imposed on employers. The measure has a delayed effective date of January 1, 2018.

Status:

01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17102389D
01/11/17 House: Referred to Committee on Commerce and Labor
01/19/17 House: Assigned C & L sub: Subcommittee #2
01/24/17 House: Impact statement from DPB (HB2126)
01/24/17 House: Subcommittee recommends passing by indefinitely

HB2165 [Opiate prescriptions; electronic prescriptions.](#)

Companion Bill: SB1230

Chief Patron: Pillion

Summary:

Requires a prescription for any controlled substance containing an opiate to be issued as an electronic prescription and prohibits a pharmacist from dispensing a controlled substance that contains an opiate unless the prescription is issued as an electronic prescription, beginning July 1, 2020. The bill defines electronic prescription as a written prescription that is generated on an electronic application in accordance with federal regulations and is transmitted to a pharmacy as an electronic data file. The bill requires the Secretary of Health and Human Resources to convene a work group to review actions necessary for the implementation of the bill's provisions and report on the work group's progress to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by November 1, 2017 and a final report to such Chairmen by November 1, 2018.

Status:

01/17/17 House: Assigned HWI sub: Subcommittee #1
01/20/17 House: Impact statement from DPB (HB2165)
01/23/17 House: Subcommittee recommends reporting with amendments (9-Y 0-N)
01/26/17 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N)
01/27/17 House: Read first time

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

Chief Patron: Massie

Summary:

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

Status:

01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17102678D

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

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

01/20/17 House: Assigned Education sub: Higher Education

HB2196 [Wireless communications infrastructure; procedure for approved by localities.](#)

Companion Bill: SB1282

Chief Patron: Kilgore

Summary:

Provides a uniform procedure for the way in which wireless communications infrastructure is approved by localities and approved and installed in public rights-of-way.

Status:

01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17103884D

01/11/17 House: Referred to Committee on Commerce and Labor

01/23/17 House: Impact statement from DHCD (HB2196)

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

Chief Patron: Toscano

Summary:

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

Status:

01/24/17 House: Reported from Transportation (21-Y 0-N)

01/25/17 House: Read first time

01/26/17 House: Read second time and engrossed

01/27/17 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)

01/27/17 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

HB2223 [Virginia Freedom of Information Act; right to speak at open meetings.](#)

Chief Patron: Kory

Summary:

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

Status:

01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17103756D
01/11/17 House: Referred to Committee on General Laws
01/16/17 House: Assigned GL sub: Subcommittee #2
01/23/17 House: Impact statement from DPB (HB2223)
01/26/17 House: Subcommittee recommends reporting with amendment (5-Y 2-N)

HB2227 [Certificate of public need; denial of certain certificates.](#)

Chief Patron: Head

Summary:

Prohibits the Commissioner of Health from denying an application for a certificate of public need for the addition of a new neonatal special care service at a medical care facility located in a planning district with a population of 275,000 or more in which there is only a single existing provider of such service or a new open heart surgery service at a medical care facility located in a planning district with a population of 2,000,000 or more in which there are two or more existing providers of such service solely because of the expected economic impact of the proposed project on an existing service in the planning district or the expected impact of the proposed project on the utilization of or volume of services delivered by an existing service in the planning district.

Status:

01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17102255D
01/11/17 House: Referred to Committee on Health, Welfare and Institutions
01/13/17 House: Impact statement from VDH (HB2227)
01/17/17 House: Assigned HWI sub: Subcommittee #3
01/25/17 House: Subcommittee recommends laying on the table

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

Companion Bill: SB1371

Chief Patron: Jones

Summary:

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

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

The bill contains technical amendments.

Status:

- 01/19/17 House: Subcommittee recommends referring to Committee on Appropriations
- 01/24/17 House: Reported from General Laws (22-Y 0-N)
- 01/24/17 House: Referred to Committee on Appropriations
- 01/25/17 House: Assigned App. sub: Higher Education
- 01/27/17 House: Impact statement from DPB (HB2245)

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

Companion Bill: SB1045

Chief Patron: Jones

Summary:

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

Status:

- 01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17102172D
- 01/11/17 House: Referred to Committee on Appropriations
- 01/16/17 House: Assigned App. sub: General Government & Capital Outlay
- 01/23/17 House: Impact statement from DPB (HB2248)
- 01/25/17 House: Subcommittee recommends reporting with substitute (7-Y 0-N)

HB2251 Virginia Retirement System; establishes an optional defined contribution retirement plan.

Chief Patron: Jones

Summary:

Requires the Virginia Retirement System (VRS) to establish an optional defined contribution retirement plan for state and local employees. Participation in the plan is in lieu of other retirement plans offered by VRS. Employees hired on or after July 1, 2019, shall make an irrevocable election whether to participate in the plan. A person who is employed on June 30, 2019, shall make an irrevocable election by October 31, 2019, to participate in the new retirement plan beginning January 1, 2020, in lieu of his retirement plan at the time. If such employee elects to participate in the new plan, his retirement plan at the time of election will be "frozen" and not increase because of compensation earned or years of service earned while participating in the new plan. Under the plan, the employer makes a mandatory contribution in the amount of 8.5 percent of the employee's compensation, and the employee contributes five percent of his compensation.

Status:

01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17103357D
01/11/17 House: Referred to Committee on Appropriations
01/16/17 House: Assigned App. sub: Compensation and Retirement
01/23/17 House: Impact statement from VRS (HB2251)
01/26/17 House: Subcommittee recommends reporting with substitute (7-Y 0-N)

HB2260 Higher educational institutions, baccalaureate public; to employ a full-time ombudsmen.

Chief Patron: Villanueva

Summary:

Requires each baccalaureate public institution of higher education in the Commonwealth to employ a full-time ombudsman to provide confidential and independent assistance to faculty, staff, and students in resolving complaints, conflicts, disputes, and other problems.

Status:

01/11/17 House: Referred to Committee on Privileges and Elections
01/20/17 House: Referred from Privileges and Elections
01/20/17 House: Referred to Committee on Education
01/23/17 House: Assigned Education sub: Higher Education
01/27/17 House: Impact statement from DPB (HB2260)

HB2262 Online Virginia Network Authority; established.

Chief Patron: Cox

Summary:

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

Status:

01/11/17 House: Prefiled and ordered printed; offered 01/11/17 17100631D
01/11/17 House: Referred to Committee on Appropriations
01/16/17 House: Assigned App. sub: Higher Education
01/23/17 House: Impact statement from DPB (HB2262)

HB2323 [Public employment; inquiries by state agencies and localities regarding criminal convictions.](#)

Chief Patron: Aird

Summary:

Prohibits state agencies from including on any employment application a question inquiring whether the prospective employee has ever been arrested or charged with, or convicted of, any crime, subject to certain exceptions. A prospective employee may not be asked if he has ever been convicted of any crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if the prospective employee has a conviction record that directly relates to the duties and responsibilities of the position. A prospective employee may not be asked if he has ever been arrested or charged with a crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if (i) the prospective employee's criminal arrest or charge resulted in the prospective employee's conviction of a crime and (ii) the crime of which he was convicted directly relates to the duties and responsibilities of the position. The prohibition does not apply to applications for employment with law-enforcement agencies or certain positions designated as sensitive or in instances where a state agency is expressly permitted to inquire into an individual's criminal history for employment purposes pursuant to any provision of federal or state law. The bill also authorizes localities to prohibit such inquiries.

Status:

01/13/17 House: Presented and ordered printed 17103866D
01/13/17 House: Referred to Committee on General Laws
01/17/17 House: Impact statement from DPB (HB2323)
01/23/17 House: Assigned GL sub: Subcommittee #4

HB2337 [Certificates of public need; creates a two-phase process.](#)

Chief Patron: O'Bannon

Summary:

Creates a two-phase process to sunset certificate of public need (COPN) requirements for many categories of medical care facilities and projects, with the requirement for a certificate of public need (i) for all medical care facilities other than nursing homes, rehabilitation hospitals and beds, imaging centers, organ or tissue transplant services, certain open heart surgery services, certain neonatal services, and certain medical care facilities located in a locality with a population density of at least 200 people per square mile as reported by the United States Bureau of the Census in the 2010 census report that is contiguous with at least one other locality with such population density, or has a population of at least 75,000 people repealed effective July 1, 2017, and (ii) imaging centers repealed effective January 1, 2018. The bill also creates a new permitting process for categories of facilities and projects exempted from the certificate of public need process that requires the Commissioner of Health to issue a permit but requires the Commissioner to condition a permit (a) on the agreement of the applicant to provide a specified level of care at a reduced rate to indigents, accept patients requiring specialized care, or facilitate the development and operation of primary medical care services in designated medically underserved areas of the applicant's service area and (b) on compliance of the applicant with quality of care standards. The bill also eliminates regional health planning agencies and makes numerous changes to the COPN process for facilities and projects that will still be subject to the requirement of a certificate. The bill contains technical amendments.

Status:

01/13/17 House: Presented and ordered printed 17103865D
01/13/17 House: Referred to Committee on Health, Welfare and Institutions
01/17/17 House: Assigned HWI sub: Subcommittee #3
01/25/17 House: Subcommittee recommends reporting with substitute (4-Y 1-N)
01/27/17 House: Impact statement from VDH (HB2337)

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

Companion Bill: SB1129

Chief Patron: Albo

Summary:

Restricts the use of construction management procurements by public bodies unless (i) the total estimated contract value is \$40 million or more, (ii) a written determination is provided stating that

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

Status:

01/16/17 House: Presented and ordered printed 17103910D
01/16/17 House: Referred to Committee on General Laws
01/23/17 House: Assigned GL sub: Subcommittee #2

HB2391 Personnel Management Information System; state agency positions designated as sensitive.

Chief Patron: Holcomb

Summary:

Requires each state agency to continue to record in the Personnel Management Information System (PMIS) positions that it has designated as sensitive to ensure that the Department of Human Resources Management has a list of all such positions. The bill clarifies who would be subject to a criminal background investigation in a sensitive position. The bill expands the definition of sensitive position to include those positions (i) responsible for the health, safety, and welfare of citizens or the protection of critical infrastructures; (ii) that have access to sensitive information, including access to Federal Tax Information in approved exchange agreements with the Internal Revenue Service or Social Security Administration; and (iii) that are otherwise required by state or federal law to be designated as sensitive. The bill contains an emergency clause.

Status:

01/18/17 House: Presented and ordered printed with emergency clause 17104157D
01/18/17 House: Referred to Committee on General Laws
01/23/17 House: Assigned GL sub: Subcommittee #4
01/23/17 House: Impact statement from DPB (HB2391)

HB2392 Virginia Public Procurement Act; preferred procurement method for construction.

Chief Patron: James

Summary:

Eliminates competitive sealed bidding as the preferred method for procuring construction.

Status:

01/18/17 House: Presented and ordered printed 17104190D
01/18/17 House: Referred to Committee on General Laws
01/23/17 House: Assigned GL sub: Subcommittee #2
01/27/17 House: Impact statement from DPB (HB2392)

HB2401 Virginia Freedom of Information Act; minutes of closed meetings required, audio recordings.

Chief Patron: Morris

Summary:

Provides that a public body shall (i) take closed meeting minutes, (ii) also make an audio recording of the entirety of every meeting that is closed to the public, and (iii) use a means of recording that fully captures and can clearly reproduce all statements made during a closed meeting. The bill provides that the minutes or recordings made shall not be subject to the disclosure provisions of FOIA.

Status:

01/18/17 House: Presented and ordered printed 17103944D
01/18/17 House: Referred to Committee on General Laws
01/23/17 House: Assigned GL sub: Subcommittee #2
01/23/17 House: Impact statement from DPB (HB2401)

HB2402 Virginia Freedom of Information Act; willful violations, grounds for termination.

Chief Patron: Morris

Summary:

Provides that if the court finds that any officer or employee of a public body (i) receives a request for records that was sent by a requester by certified mail, return receipt requested, and (ii) without legal excuse or justification, deliberately, willfully, and knowingly fails to make a response to such request, such officer or employee may be terminated for cause by his appointing authority or agency head.

Status:

01/18/17 House: Presented and ordered printed 17100847D
01/18/17 House: Referred to Committee on General Laws
01/23/17 House: Assigned GL sub: Subcommittee #2

HB2420 [Virginia Public Procurement Act; small business and microbusiness procurement enhancement program.](#)

Companion Bill: SB1528

Chief Patron: Ward

Summary:

Codifies the Governor's Executive Order 20 (2014) establishing a statewide small business and microbusiness procurement enhancement program. The bill establishes a statewide goal of 42 percent of small and microbusiness utilization in all discretionary spending by state agencies in procurement orders, prime contracts, and subcontracts. In addition, the bill provides for (i) a set-aside for competition among all small businesses for state agency purchases up to \$100,000 for goods and nonprofessional services and up to \$50,000 for professional services and (ii) a set-aside for competition among microbusinesses for purchases under \$10,000.

Status:

01/19/17 House: Presented and ordered printed 17103911D
01/19/17 House: Referred to Committee on General Laws
01/23/17 House: Assigned GL sub: Subcommittee #2

HB2426 [Virginia Guaranteed Assistance Program; changes student eligibility, renewal, amount of grants.](#)

Chief Patron: Sickles

Summary:

Changes the student eligibility criteria for Virginia Guaranteed Assistance Program grants by removing the requirement that the recipient be a dependent and by requiring the recipient to be enrolled full time. The bill places the following condition of renewal of Program grants: (i) no recipient shall receive a subsequent grant until he has satisfied the requirements to advance to the next class level; (ii) no recipient shall receive more than one year of support per class level for a maximum total of two years of support at an associate-degree-granting public institution of higher education or more than one year of

support per class level for a maximum total of four years of support at a baccalaureate public institution of higher education; and (iii) no recipient shall receive more than a combined lifetime total of four years of support. The bill permits public institutions of higher education to use Program funds to provide larger awards to students in a higher class level or to students who enroll in 15 or more credit hours per semester. The provisions of the bill become effective beginning with the first-time entering freshman class of the fall 2018 academic year.

Status:

01/19/17 House: Referred to Committee on Education
01/25/17 House: Referred from Education
01/25/17 House: Referred to Committee on Appropriations
01/25/17 House: Assigned App. sub: Higher Education
01/26/17 House: Impact statement from DPB (HB2426)

HB2427 [Virginia Guaranteed Assistance Program; changes to Program, grants.](#)

Chief Patron: Cox

Summary:

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

Status:

01/19/17 House: Presented and ordered printed 17104206D
01/19/17 House: Referred to Committee on Appropriations
01/20/17 House: Assigned App. sub: Higher Education
01/26/17 House: Impact statement from DPB (HB2427)

HB2458 [Certificate of public need; reports.](#)

Companion Bill: SB1375

Chief Patron: Stolle

Summary:

Makes changes to the Medical Care Facilities Certificate of Public Need Program. The bill (i) removes specialized centers or clinics or that portion of a physician's office developed for the provision of

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

The bill also (a) directs the Secretary of Health and Human Resources to review charity care services delivered throughout the Commonwealth and recommend changes to the definition of charity and to the types of charity care requirements imposed on various health care services and report to the Governor and the General Assembly by December 1, 2017; (b) directs the Secretary of Health and Human Resources to implement a system to ensure that data needed to evaluate whether an application for a certificate is consistent with the State Health Services Plan is timely and reliable, to make all public records pertaining to applications for certificates and the review process available in real-time in a searchable, digital format online, to make an inventory of capacity authorized by certificates of public need, both operational and not yet operational, available in a digital format online, and to make charity care conditions, charity care compliance reporting status, and details on the exact amount of charity care provided or contributed and to whom it was provided or contributed available in a digital format online; (c) directs the Commissioner of Health to develop an analytical framework to guide the work of the State Health Services Plan Advisory Council; and (d) directs the Joint Commission on Health Care to develop specific recommendations for eliminating differences in the certificate of public need review process from one region to another and report on the recommendations to the Chairmen of the House Health, Welfare and Institutions and Senate Education and Health Committees by December 1, 2017.

Status:

01/20/17 House: Presented and ordered printed 17101219D
01/20/17 House: Referred to Committee on Health, Welfare and Institutions
01/23/17 House: Assigned HWI sub: Subcommittee #3
01/25/17 House: Subcommittee recommends reporting with substitute (5-Y 0-N)
01/27/17 House: Impact statement from VDH (HB2458)

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

Chief Patron: Rasoul

Summary:

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

Status:

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

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

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

01/26/17 House: Tabled in Rules

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

Companion Bill: SJ254

Chief Patron: Marshall, D.W.

Summary:

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

Status:

01/06/17 House: Prefiled and ordered printed; offered 01/11/17 17102520D

01/06/17 House: Referred to Committee on Rules

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

01/26/17 House: Tabled in Rules

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

Chief Patron: Toscano

Summary:

Commending Robert C. Vaughan III.

Status:

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

SB803 [Executive budget; zero-based budgeting principles.](#)

Chief Patron: Sturtevant

Summary:

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

Status:

10/10/16 Senate: Referred to Committee on General Laws and Technology
01/16/17 Senate: Impact statement from DPB (SB803)
01/16/17 Senate: Reported from General Laws and Technology (12-Y 1-N 1-A)
01/16/17 Senate: Rereferred to Finance
01/24/17 Senate: Passed by indefinitely in Finance (16-Y 0-N)

SB834 [Governor; efficiency and effectiveness review and assessment of state departments, agencies, etc.](#)

Chief Patron: Sturtevant

Summary:

Directs the Governor to establish an ongoing operational and programmatic efficiency and effectiveness review and assessment of all state departments, agencies, and programs to coincide with alternating biennial state budget cycles. The bill schedules one-half of all state departments, agencies, and programs to be reviewed in each biennial budget cycle. The purpose of the review and assessment is to provide an objective and independent cost savings assessment of the Commonwealth's organizational structure and its programs in order to provide information to the Governor and the General Assembly to effect savings in expenditures, a reduction in duplication of effort, and programmatic efficiencies in the operation of

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

Status:

11/15/16 Senate: Referred to Committee on General Laws and Technology
01/16/17 Senate: Reported from General Laws and Technology (14-Y 0-N)
01/16/17 Senate: Rereferred to Finance
01/18/17 Senate: Impact statement from DPB (SB834)
01/24/17 Senate: Passed by indefinitely in Finance (16-Y 0-N)

SB900 [Budget Bill.](#)

Companion Bill: HB1500

Chief Patron: Norment

Summary:

Amends Chapter 780, 2016 Acts of Assembly.

Status:

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

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

Companion Bill: HB1402

Chief Patron: Surovell

Summary:

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

Status:

12/26/16 Senate: Referred to Committee on Education and Health
01/23/17 Senate: Assigned Education sub: Higher Education
01/26/17 Senate: Reported from Education and Health with substitute (14-Y 1-N)
01/26/17 Senate: Committee substitute printed 17104692D-S1

01/27/17 Senate: Constitutional reading dispensed (39-Y 0-N)

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

Chief Patron: Edwards

Summary:

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

Status:

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

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

01/20/17 Senate: Impact statement from DPB (SB914)

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

Chief Patron: Petersen

Summary:

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

Status:

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

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

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

01/23/17 Senate: Failed to report (defeated) in General Laws and Technology (6-Y 7-N)

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

Chief Patron: DeSteph

Summary:

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

Status:

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

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

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

SB955 [Certain educational institutions; designation of governing boards.](#)

Chief Patron: DeSteph

Summary:

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

Status:

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

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

01/19/17 Senate: Rereferred from Education and Health (15-Y 0-N)

01/19/17 Senate: Rereferred to Finance

01/25/17 Senate: Passed by indefinitely in Finance (16-Y 0-N)

SB972 [Requests for information by members of the General Assembly; responses not subject to redaction.](#)

Chief Patron: DeSteph

Summary:

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

Status:

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

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

01/26/17 Senate: Impact statement from DPB (SB972)

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

Chief Patron: DeSteph

Summary:

Prohibits any percentage increase in in-state tuition or instructional fees for undergraduate students at Virginia's public institutions of higher education that exceeds the annual percentage increase, as determined by the State Council of Higher Education for Virginia, in the Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor, from January 1 through December 31 of the year immediately preceding the affected year.

Status:

01/03/17 Senate: Referred to Committee on Education and Health
01/19/17 Senate: Rereferred from Education and Health (15-Y 0-N)
01/19/17 Senate: Rereferred to Finance
01/24/17 Senate: Impact statement from DPB (SB985)
01/25/17 Senate: Passed by indefinitely in Finance (16-Y 0-N)

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

Chief Patron: DeSteph

Summary:

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

Status:

01/03/17 Senate: Referred to Committee on Education and Health
01/19/17 Senate: Rereferred from Education and Health (15-Y 0-N)
01/19/17 Senate: Rereferred to Finance
01/24/17 Senate: Impact statement from DPB (SB986)
01/25/17 Senate: Passed by indefinitely in Finance (16-Y 0-N)

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

Chief Patron: DeSteph

Summary:

Prohibits any percentage increase in in-state tuition or instructional fees for undergraduate students at

Virginia's public institutions of higher education that exceeds the annual percentage increase, as determined by the State Council of Higher Education for Virginia, of the median household income in the Commonwealth established by the U.S. Department of Housing and Urban Development, of the calendar year immediately preceding the affected year.

Status:

01/03/17 Senate: Referred to Committee on Education and Health
01/19/17 Senate: Rereferred from Education and Health (15-Y 0-N)
01/19/17 Senate: Rereferred to Finance
01/24/17 Senate: Impact statement from DPB (SB987)
01/25/17 Senate: Passed by indefinitely in Finance (16-Y 0-N)

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

Companion Bill: HB1895

Chief Patron: Howell

Summary:

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

Status:

01/04/17 Senate: Prefiled and ordered printed; offered 01/11/17 17101926D
01/04/17 Senate: Referred to Committee on Education and Health
01/23/17 Senate: Assigned Education sub: Higher Education
01/26/17 Senate: Passed by indefinitely in Education and Health with letter (15-Y 0-N)

SB1045 [Capital outlay plan.](#)

Companion Bill: HB2248

Chief Patron: Hanger

Summary:

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

Status:

01/05/17 Senate: Referred to Committee on Finance
01/23/17 Senate: Impact statement from DPB (SB1045)
01/25/17 Senate: Reported from Finance (14-Y 0-N)
01/26/17 Senate: Constitutional reading dispensed (40-Y 0-N)
01/27/17 Senate: Read second time and engrossed

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

Chief Patron: Sturtevant

Summary:

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

Status:

01/06/17 Senate: Referred to Committee on Education and Health
01/19/17 Senate: Rereferred from Education and Health (15-Y 0-N)
01/19/17 Senate: Rereferred to Finance
01/24/17 Senate: Impact statement from DPB (SB1087)
01/25/17 Senate: Passed by indefinitely in Finance (16-Y 0-N)

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

Chief Patron: Sturtevant

Summary:

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

Status:

01/06/17 Senate: Referred to Committee on Education and Health
01/19/17 Senate: Rereferred from Education and Health (15-Y 0-N)
01/19/17 Senate: Rereferred to Finance
01/24/17 Senate: Impact statement from DPB (SB1088)
01/25/17 Senate: Passed by indefinitely in Finance (16-Y 0-N)

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

Chief Patron: Surovell

Summary:

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

Status:

01/07/17 Senate: Prefiled and ordered printed; offered 01/11/17 17100867D

01/07/17 Senate: Referred to Committee on General Laws and Technology

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

01/27/17 Senate: Impact statement from DPB (SB1103)

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

Chief Patron: DeSteph

Summary:

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

Status:

01/23/17 Senate: Reported from General Laws and Technology (9-Y 6-N)

01/24/17 Senate: Impact statement from DPB (SB1128)

01/25/17 Senate: Constitutional reading dispensed (40-Y 0-N)

01/26/17 Senate: Read second time and engrossed

01/27/17 Senate: Passed by for the day

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

Companion Bill: HB2366

Chief Patron: Ruff

Summary:

Restricts the use of construction management procurements by public bodies unless (i) the total estimated contract value is \$40 million or more, (ii) a written determination is provided stating that competitive sealed bidding is not practicable or fiscally advantageous, (iii) the contract is entered into prior to the schematic phase of design, (iv) prior alternative procurement method experience is not

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

Status:

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

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

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

Chief Patron: DeSteph

Summary:

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

Status:

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

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

01/27/17 Senate: Passed by indefinitely in Rehabilitation and Social Services (15-Y 0-N)

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

[animal in a dwelling.](#)

Companion Bill: HB2006

Chief Patron: Barker

Summary:

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

Status:

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

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

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

SB1230 [Opiate prescriptions; electronic prescriptions.](#)

Companion Bill: HB2165

Chief Patron: Dunnavant

Summary:

Requires a prescription for any controlled substance containing an opiate to be issued as an electronic prescription and prohibits a pharmacist from dispensing a controlled substance that contains an opiate unless the prescription is issued as an electronic prescription, beginning July 1, 2020. The bill defines electronic prescription as a written prescription that is generated on an electronic application in accordance with federal regulations and is transmitted to a pharmacy as an electronic data file. The bill requires the Secretary of Health and Human Resources to convene a work group to review actions necessary for the implementation of the bill's provisions and report on the work group's progress to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by November 1, 2017 and a final report to such Chairmen by November 1, 2018.

Status:

01/23/17 Senate: Committee amendment agreed to

01/23/17 Senate: Engrossed by Senate as amended SB1230E
01/23/17 Senate: Printed as engrossed 17101418D-E
01/24/17 Senate: Impact statement from DPB (SB1230E)
01/24/17 Senate: Read third time and passed Senate (39-Y 0-N)

SB1232 [Controlled substances; limits on prescription containing opioids.](#)

Companion Bill: HB1898

Chief Patron: Dunnavant

Summary:

Prohibits a prescriber providing treatment for a patient in an emergency department of a corporation, facility, or institution licensed, owned, or operated by the Commonwealth to provide health care from prescribing a controlled substance containing an opioid in a quantity greater than a three-day supply, as determined in accordance with the prescriber's directions for use. The bill also prohibits a pharmacist from dispensing a controlled substance containing an opioid pursuant to a prescription issued by a prescriber providing treatment to a patient in the emergency department of a corporation, facility, or institution licensed, owned, or operated by the Commonwealth to provide health care unless the prescription complies with the requirements of the bill. The bill has an expiration date of July 1, 2020.

Status:

01/20/17 Senate: Impact statement from VDH (SB1232)
01/23/17 Senate: Assigned Education sub: Health Professions
01/26/17 Senate: Reported from Education and Health with substitute (15-Y 0-N)
01/26/17 Senate: Committee substitute printed 17104640D-S1
01/27/17 Senate: Constitutional reading dispensed (39-Y 0-N)

SB1234 [Higher educational institutions, public; SVHEV to develop a passport credit program.](#)

Chief Patron: Dunnavant

Summary:

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

Status:

01/10/17 Senate: Prefiled and ordered printed; offered 01/11/17 17102436D
01/10/17 Senate: Referred to Committee on Education and Health
01/27/17 Senate: Impact statement from DPB (SB1234)

SB1282 [Wireless communications infrastructure; procedure for approved by localities.](#)

Companion Bill: HB2196

Chief Patron: McDougle

Summary:

Provides a uniform procedure for the way in which wireless communications infrastructure is approved by localities and approved and installed in public rights-of-way.

Status:

01/10/17 Senate: Prefiled and ordered printed; offered 01/11/17 17103885D
01/10/17 Senate: Referred to Committee on Commerce and Labor

SB1293 [State agencies; criminal background checks for certain positions, annual report to DHRM.](#)

Companion Bill: HB1634

Chief Patron: McDougle

Summary:

Requires each state agency to create and annually update a list of the positions that it has designated as sensitive and submit the list to the Department of Human Resources Management by July 1 of each year. The bill clarifies who would be subject to a criminal background investigation in a sensitive position. The bill expands the definition of sensitive position to include those positions (i) responsible for the health, safety, and welfare of citizens or the protection of critical infrastructures; (ii) that have access to sensitive information, including information obtained from the Internal Revenue Service; and (iii) that are otherwise required by state or federal law to be designated as sensitive. The bill contains an emergency clause.

Status:

01/10/17 Senate: Prefiled and ordered printed with emergency clause; offered 01/13/16 17101473D
01/10/17 Senate: Referred to Committee on General Laws and Technology
01/13/17 Senate: Impact statement from DPB (SB1293)

SB1312 Conflicts of Interests Acts, State & Local Government & General Assembly, lobbyist, filing.

Companion Bill: HB1854

Chief Patron: Norment

Summary:

Makes numerous changes to the laws governing lobbyist reporting, the conflict of interest acts, and the Virginia Conflict of Interest and Ethics Advisory Council (the Council) including (i) allowing the Secretary of the Commonwealth to suspend any penalty that could be assessed against a lobbyist's principal for failing to file the required disclosure if such failure is beyond the control of the principal; (ii) clarifying the procedures for terminating the services of a lobbyist; (iii) requiring that lobbyist registration forms be filed electronically; (iv) eliminating the requirement that a lobbyist list the names, addresses, and telephone numbers of all other lobbyists representing the same principal; (v) creating a separate statement for a lobbyist's principal to waive the principal signature requirement on the lobbyist disclosure form; (vi) granting the clerk of the local governing body or school board the same power as the Council to redact from any disclosure form released to the public any residential address, personal telephone number, or signature; (vii) eliminating the minimum duration of the mandatory refresher ethics orientation session for General Assembly members; (viii) allowing written informal advice from the Council to be admitted into evidence in any trial of a person for violating the conflict of interest acts; (ix) clarifying the Council's authority to grant extensions from the filing deadline and imposing a \$250 civil penalty on agency heads or local clerks who fail to provide the disclosure forms to filers in a timely manner; and (x) directing that candidates for statewide or constitutional office and the General Assembly are required to file a disclosure form with the State Board of Elections and not the Council. The bill also extends the filing deadline for disclosure forms from January 15 to February 1 and clarifies the reporting period covered by the disclosure forms. The bill also eliminates events open to individuals who share a common interest from the definition of a "widely attended event," attendance at which was not subject to the gift cap. The bill also exempts from the definition of a "gift" (a) gifts from a person's child-in-law; (b) gifts related to a person's volunteer service; (c) meals provided for attendance at an official meeting of the Commonwealth, its political subdivisions, or certain other entities; and (d) gifts given on a special occasion by an individual in a bona fide personal relationship with the donee. The bill also exempts members of the judiciary from certain provisions governing prohibited gifts and prohibited personal interests in a transaction where such members are already subject to similar or greater prohibitions under the Canons of Judicial Conduct for the State of Virginia. Finally, the bill contains technical amendments. The bill contains an emergency clause that applies to the changes described in clause (x).

Status:

01/10/17 Senate: Prefiled and ordered printed with emergency clause; offered 01/13/16 17102773D
01/10/17 Senate: Referred to Committee on Rules
01/27/17 Senate: Impact statement from DPB (SB1312)

SB1341 Government records; digital certification.

Chief Patron: Surovell

Summary:

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

Status:

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

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

SB1353 [Higher educational institutions; primary duties of members of governing boards.](#)

Chief Patron: DeSteph

Summary:

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

Status:

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

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

01/23/17 Senate: Assigned Education sub: Higher Education

01/26/17 Senate: Reported from Education and Health (11-Y 4-N)

01/26/17 Senate: Rereferred to Finance

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

Companion Bill: HB2245

Chief Patron: Saslaw

Summary:

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

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

The bill contains technical amendments.

Status:

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

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

01/23/17 Senate: Assigned Education sub: Higher Education

01/27/17 Senate: Impact statement from DPB (SB1371)

SB1375 Certificate of Public Need program; established, changes to MCFCPN program, report.

Companion Bill: HB2458

Chief Patron: Cosgrove

Summary:

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

The bill also (a) directs the Department to develop recommendations to reduce the duration of the average review cycle for applications for certificates of public need to not more than 120 days and to report on its recommendations to the Governor and the General Assembly no later than December 1,

2017; (b) directs the Secretary of Health and Human Resources to review charity care services delivered throughout the Commonwealth and recommend changes to the definition of charity and to the types of charity care requirements imposed on various health care services and report to the Governor and the General Assembly by December 1, 2017; (c) directs the Secretary of Health and Human Resources to convene a group of stakeholders to study and make recommendations related to the appropriate authority of the State Health Commissioner to impose additional conditions on certificates; (d) directs the Secretary of Health and Human Resources to implement a system to ensure that data needed to evaluate whether an application for a certificate is consistent with the State Health Services Plan is timely and reliable, to make all public records pertaining to applications for certificates and the review process available in real time in a searchable, digital format online, to make an inventory of capacity authorized by certificates of public need, both operational and not yet operational, available in a digital format online, and to make charity care conditions, charity care compliance reporting status, and details on the exact amount of charity care provided or contributed and to whom it was provided or contributed available in a digital format online; (e) directs the Commissioner of Health to develop an analytical framework to guide the work of the State Health Services Plan Advisory Council; and (f) directs the Joint Commission on Health Care to develop specific recommendations for eliminating differences in the certificate of public need review process from one region to another and report on the recommendations to the Chairmen of the House Committee on Health, Welfare and Institutions and Senate Committee on Education and Health by December 1, 2017.

Status:

01/11/17 Senate: Prefiled and ordered printed; offered 01/11/17 17100641D
01/11/17 Senate: Referred to Committee on Education and Health
01/24/17 Senate: Assigned Education sub: Certificate of Public Need (COPN)
01/27/17 Senate: Impact statement from VDH (SB1375)

SB1376 [Higher educational institutions; public notice of proposed tuition increase.](#)

Chief Patron: Petersen

Summary:

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

Status:

01/23/17 Senate: Assigned Education sub: Higher Education
01/26/17 Senate: Reported from Education and Health with substitute (15-Y 0-N)
01/26/17 Senate: Committee substitute printed 17104778D-S1
01/27/17 Senate: Incorporates SB1405 (Surovell)
01/27/17 Senate: Constitutional reading dispensed (39-Y 0-N)

SB1379 Higher educational institutions; governing board to implement a plan to reduce in-state tuition.

Chief Patron: Petersen

Summary:

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

Status:

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

01/19/17 Senate: Rereferred from Education and Health (15-Y 0-N)

01/19/17 Senate: Rereferred to Finance

01/24/17 Senate: Impact statement from DPB (SB1379)

01/25/17 Senate: Passed by indefinitely in Finance (16-Y 0-N)

SB1387 Joint Legislative Audit and Review Commission; operational and programmatic efficiency.

Chief Patron: Sturtevant

Summary:

Authorizes the Joint Legislative Audit and Review Commission to establish an ongoing operational and programmatic efficiency and effectiveness review and assessment of state agencies under a contract with a United States-based private management consulting firm with experience in conducting statewide performance reviews. The purpose of the review and assessment is to provide an objective and independent cost-savings assessment of the Commonwealth's organizational structure and its programs in order to provide information to the Governor and the General Assembly to effect savings in expenditures, a reduction in duplication of effort, and programmatic efficiencies in the operation of state government. The bill also (i) provides certain required terms for the contract with the private entity and (ii) requires the Commission to submit a report to the General Assembly on the results of each review and assessment by December 1 of the year in which the review is conducted.

Status:

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

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

01/19/17 Senate: Impact statement from DPB (SB1387)

SB1389 Higher educational institutions; letter certifying good standing of certain students.

Chief Patron: Mason

Summary:

Requires institutions of higher education that include notations on the transcripts of students who have been suspended for, have been permanently dismissed for, or withdraw from the institution while under investigation for offenses involving sexual violence under the institution's code, rules, or set of standards governing student conduct to require the dean of students or similar such individual at any other institution of higher education within or outside the Commonwealth to submit to it a letter certifying the good standing of any student who seeks admission to the institution that requires the letter of certification and who, at the time such student withdraws from the other institution of higher education within or outside the Commonwealth, is determined to be in good standing according to the institution's code, rules, or set of standards governing such a determination and is not under investigation or subject to any pending institutional proceedings for a violation of the institution's code, rules, or set of standards governing student conduct.

Status:

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

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

01/20/17 Senate: Impact statement from DPB (SB1389)

SB1405 [Higher educational institutions, public; notice of proposed tuition increase.](#)

Chief Patron: Surovell

Summary:

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

Status:

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

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

01/19/17 Senate: Impact statement from DPB (SB1405)

01/23/17 Senate: Assigned Education sub: Higher Education

01/26/17 Senate: Incorporated by Education and Health (SB1376-Petersen) (15-Y 0-N)

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

Companion Bill: HB1825

Chief Patron: Stanley

Summary:

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

Status:

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

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

01/18/17 Senate: Impact statement from DPB (SB1425)

SB1430 [Higher educational institutions; student-death-related crisis.](#)

Chief Patron: Reeves

Summary:

Requires that policies developed and implemented by public institutions of higher education regarding suicide prevention ensure that after a student-death-related crisis affected students have access to appropriate medical and behavioral health services, including postvention services. The bill defines postvention services as services designed to facilitate the grieving or adjustment process, stabilize the environment, reduce the risk of negative behaviors, and prevent suicide contagion. The bill requires the Council to develop guidelines regarding such policies and to review the policy of each public institution of higher education at least once every four years.

Status:

01/12/17 Senate: Presented and ordered printed 17100788D

01/12/17 Senate: Referred to Committee on Education and Health

01/25/17 Senate: Impact statement from DPB (SB1430)

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

Chief Patron: Petersen

Summary:

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

Status:

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

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

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

01/24/17 Senate: Impact statement from DPB (SB1436)

SB1450 [Concealed handguns; permit holders' possession on property of public higher educational institution.](#)

Chief Patron: Chase

Summary:

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

Status:

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

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

01/23/17 Senate: Passed by indefinitely in Courts of Justice (11-Y 4-N)

SB1527 [Virginia Guaranteed Assistance Program; eligibility, renewal, amount of grants.](#)

Chief Patron: Saslaw

Summary:

Changes the student eligibility criteria for Virginia Guaranteed Assistance Program grants by removing the requirement that the recipient be a dependent and by requiring the recipient to be enrolled full time. The bill places the following conditions on renewal of Program grants: (i) no recipient shall receive a subsequent grant until he has satisfied the requirements to advance to the next class level, as defined in the bill; (ii) no recipient shall receive more than one year of support per class level for a maximum total of two years of support at an associate-degree-granting public institution of higher education or more than one year of support per class level for a maximum total of four years of support at a baccalaureate public institution of higher education; and (iii) no recipient shall receive more than a combined lifetime total of four years of support. The bill permits public institutions of higher education to use Program funds to provide larger awards to students in a higher class level or to students who enroll in 15 or more credit hours per semester. The provisions of the bill become effective beginning with the first-time entering freshman class of the fall 2018 academic year.

Status:

01/20/17 Senate: Presented and ordered printed 17103881D
01/20/17 Senate: Referred to Committee on Education and Health
01/26/17 Senate: Reported from Education and Health (15-Y 0-N)
01/26/17 Senate: Rereferred to Finance
01/26/17 Senate: Impact statement from DPB (SB1527)

SB1528 [Virginia Public Procurement Act; small business and microbusiness procurement enhancement program.](#)

Companion Bill: HB2420

Chief Patron: Locke

Summary:

Codifies the Governor's Executive Order 20 (2014) establishing a statewide small business and microbusiness procurement enhancement program. The bill establishes a statewide goal of 42 percent of small and microbusiness utilization in all discretionary spending by state agencies in procurement orders, prime contracts, and subcontracts. In addition, the bill provides for (i) a set-aside for competition among all small businesses for state agency purchases up to \$100,000 for goods and nonprofessional services and up to \$50,000 for professional services and (ii) a set-aside for competition among microbusinesses for purchases under \$10,000.

Status:

01/20/17 Senate: Presented and ordered printed 17103981D
01/20/17 Senate: Referred to Committee on General Laws and Technology

SB1534 [Higher educational institutions, public; course credit, dual enrollment courses.](#)

Companion Bill: HB1662

Chief Patron: Sturtevant

Summary:

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

Status:

01/20/17 Senate: Presented and ordered printed 17104130D
01/20/17 Senate: Referred to Committee on Education and Health

01/26/17 Senate: Impact statement from DPB (SB1534)

SB1562 [Medicaid Supplemental Rate Fund, created.](#)

Chief Patron: Dunnivant

Summary:

Creates the Medicaid Supplemental Rate Fund (the Fund) as a subfund of the Virginia Health Care Fund. Moneys in the Fund will be used to raise base Medicaid reimbursement rates for hospitals and health care providers in the Commonwealth. The bill will require nonprofit hospitals with over \$300 million in annual revenues to pay state and local sales and use taxes, and such sales tax revenues will be deposited into the Fund. Nonprofit hospitals are currently exempt from paying state and local sales and use tax.

Status:

01/20/17 Senate: Presented and ordered printed 17103793D

01/20/17 Senate: Referred to Committee on Finance

01/27/17 Senate: Impact statement from DPB (SB1562)

SB1565 [Higher educational institutions; tuition increases.](#)

Chief Patron: Wagner

Summary:

Prohibits any percentage increase in in-state tuition or instructional fees for undergraduate students at Virginia's public institutions of higher education that exceeds the state-mandated salary percentage increase for state employees of the immediately preceding year.

Status:

01/20/17 Senate: Presented and ordered printed 17104173D

01/20/17 Senate: Referred to Committee on Education and Health

01/26/17 Senate: Rereferred from Education and Health (15-Y 0-N)

01/26/17 Senate: Rereferred to Finance

01/26/17 Senate: Impact statement from DPB (SB1565)

SB1566 [Certificate of Public Need program; established, report.](#)

Chief Patron: Dunnivant

Summary:

Makes changes to the Medical Care Facilities Certificate of Public Need Program. The bill (i) removes psychiatric facilities, specialized centers or clinics or that portion of a physician's office developed for the provision of ambulatory or outpatient surgery, lithotripsy, magnetic source imaging (MSI), or nuclear medicine imaging, and certain specialized centers or clinics or portions of hospitals for the provision of

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

The bill also (a) directs the Secretary of Health and Human Resources to review charity care services delivered throughout the Commonwealth and recommend changes to the definition of charity and to the types of charity care requirements imposed on various health care services and report to the Governor and the General Assembly by December 1, 2017; (b) directs the Secretary of Health and Human Resources to implement a system to ensure that data needed to evaluate whether an application for a certificate is consistent with the State Health Services Plan is timely and reliable, to make all public records pertaining to applications for certificates and the review process available in real-time in a searchable, digital format online, to make an inventory of capacity authorized by certificates of public need, both operational and not yet operational, available in a digital format online, and to make charity care conditions, charity care compliance reporting status, and details on the exact amount of charity care provided or contributed and to whom it was provided or contributed available in a digital format online; (c) directs the Commissioner of Health to develop an analytical framework to guide the work of the State Health Services Plan Advisory Council; and (d) directs the Joint Commission on Health Care to develop specific recommendations for eliminating differences in the certificate of public need review process from one region to another and report on the recommendations to the Chairmen of the House Health, Welfare and Institutions and Senate Education and Health Committees by December 1, 2017.

Status:

01/20/17 Senate: Presented and ordered printed 17103977D

01/20/17 Senate: Referred to Committee on Education and Health

01/24/17 Senate: Assigned Education sub: Certificate of Public Need (COPN)

01/27/17 Senate: Impact statement from VDH (SB1566)

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

Companion Bill: HJ611

Chief Patron: Stanley

Summary:

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

Status:

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

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

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

Chief Patron: Surovell

Summary:

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

Status:

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

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

SJ308 [Governor; confirming appointments.](#)

Chief Patron: Vogel

Summary:

Confirms appointments of certain persons made by Governor McAuliffe and communicated to the General Assembly on August 1, 2016.

Status:

01/16/17 Senate: Presented and ordered printed 17100273D

01/16/17 Senate: Referred to Committee on Privileges and Elections

01/24/17 Senate: Reported from Privileges and Elections (14-Y 0-N)

01/26/17 Senate: Reading waived (40-Y 0-N)
01/27/17 Senate: Read second time and engrossed