

Legislative Report
University of Virginia -- Office of State Governmental Relations
January 14, 2008

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HB14 **Institutions of higher education; aliens unlawfully present not eligible for admission thereto.**

Chief Patron: Peace

Summary:

Provides that an alien who is unlawfully present in the United States shall not be eligible for admission to any public institution of higher education in the Commonwealth.

Status:

11/27/07 House: Prefiled and ordered printed; offered 01/09/08 084436676

11/27/07 House: Committee

11/27/07 House: Committee Referral Pending

HB37 **Higher educational institutions; selective service registration required.**

Chief Patron: Albo

Summary:

Provides that anyone failing to register for the Selective Service shall not be eligible for admittance to any state public institution of higher education.

Status:

12/05/07 House: Prefiled and ordered printed; offered 01/09/08 087828404

12/05/07 House: Committee

12/05/07 House: Committee Referral Pending

HB51 **Immigration laws; immunity for enforcement thereof.**

Chief Patron: Lingamfelter

Summary:

Provides immunity to agencies and employees of the Commonwealth and political subdivisions for the authorized enforcement of immigration laws.

Status:

12/05/07 House: Prefiled and ordered printed; offered 01/09/08 085923600

12/05/07 House: Committee

12/05/07 House: Committee Referral Pending

HB55 **English; designating as official language of State.**

Chief Patron: Lingamfelter

Summary:

States that, except as provided by federal law, English is the official language of the Commonwealth, and no state agency or local government shall provide or otherwise assist in providing any documents, information, literature, or other written materials in any language other than English. The bill provides exceptions to this general rule for any documents, information, literature, or other written materials in a language other than English used in connection with foreign language instruction, administration of justice in the courts of the Commonwealth, law-enforcement purposes, or the provision of health care services.

Status:

12/05/07 House: Prefiled and ordered printed; offered 01/09/08 081753600

12/05/07 House: Committee

12/05/07 House: Committee Referral Pending

HB71 Building permit; localities may adopt provisions for assessment of impact fees prior to issuance.

Chief Patron: Marshall, R.G.

Summary:

Allows localities to adopt provisions for the assessment of impact fees prior to issuance of a building permit. The impact fees may be assessed in relation to the adequacy of education, transportation, parks, or public safety needs. Such fees shall be a pro rata share of the costs of reasonable and necessary capital improvements attributable to the proposed development. Prior to any impact fee assessment, the locality must identify the particular public facility needs in its comprehensive plan and must have in place a capital improvement program that provides a reasonable basis for determining the extent or level of inadequacy of such facilities in the area of the proposed development. If the locality does not apply impact fees paid by a developer to the capital project that served as the basis for such assessment within six years of collection, then the developer may seek a writ of mandamus to compel the locality to do so.

Status:

12/07/07 House: Prefiled and ordered printed; offered 01/09/08 083004616

12/07/07 House: Referred to Committee on Counties, Cities and Towns

01/14/08 House: Impact statement from DPB (HB71)

HB72 Building permit; localities may use impact fees for capital improvements.

Chief Patron: Marshall, R.G.

Summary:

Allows localities to adopt provisions for the assessment of impact fees prior to issuance of a building permit. The impact fees may be assessed in relation to the adequacy of education, transportation, parks, or public safety needs. Such fees shall be a pro-rata share of the costs of reasonable and necessary capital improvements attributable to the proposed development. Prior to any impact fee assessment, the locality must identify the particular public facility needs in its comprehensive plan and must have in place a capital improvement program that provides a reasonable basis for determining the extent or level of inadequacy of such facilities in the area of the proposed development. If the locality does not apply impact fees paid by a developer to the capital project that served as the basis for such assessment within six years of collection, then the developer may seek a writ of mandamus to compel the locality to do so.

Status:

12/07/07 House: Prefiled and ordered printed; offered 01/09/08 083005616

12/07/07 House: Referred to Committee on Counties, Cities and Towns

01/14/08 House: Impact statement from DPB (HB72)

HB81 Abortion; illegal upon overturning of Roe v. Wade.

Chief Patron: Marshall, R.G.

Summary:

Provides that if and when the United States Supreme Court decision in *Roe v. Wade*, 410 U.S. 113 (1973) is overturned, allowing the states to by their laws once again regulate abortion, the law in the Commonwealth of Virginia rendering abortion a crime, as it was in effect on June 30, 1970, and prior to the decision in *Roe v. Wade*, shall be reinstated. The Attorney General shall publish legal notice statewide that, in his opinion, the decision is overturned and that Virginia's law is as it was prior to the decision in *Roe v. Wade*. The Attorney General shall publish statewide notice of the change in law, along with the reinstated law governing the criminal offense of abortion.

Status:

12/11/07 House: Prefiled and ordered printed; offered 01/09/08 080307616

12/11/07 House: Referred to Committee on Rules

01/02/08 House: Impact statement from VCSC (HB81)

HB109 Firearms; regulation thereof by state entities.

Chief Patron: Cole

Summary:

Prohibits a state agency, council, commission, or other entity from adopting any rules, regulations, or policies governing the purchase, possession, transfer, ownership, carrying, storage, or transporting of firearms, ammunition, or components or combinations thereof, unless expressly authorized by statute. The prohibition does not apply to state, local, and regional correctional facilities or mental health facilities, nor is it to be construed to prohibit a law-enforcement officer from acting within the scope of his duties. Any rule, regulation, or policy adopted prior to July 1, 2007, except for those specifically authorized by statute, will be invalid.

Status:

12/17/07 House: Prefiled and ordered printed; offered 01/09/08 087907468

12/17/07 House: Referred to Committee on Militia, Police and Public Safety

HB118 Higher education; required to report to SCHEV on steps taken to ensure academic freedom, etc.

Chief Patron: Landes

Summary:

Requires each public institution of higher education to annually report to the State Council of Higher Education for Virginia (SCHEV) the steps the institution is taking to ensure academic freedom and the free exchange of ideas. SCHEV must compile the information and report to the General Assembly by December 31 of the last year of each biennium.

Status:

12/17/07 House: Prefiled and ordered printed; offered 01/09/08 083320592

12/17/07 House: Referred to Committee on Education

HB121 Mental health treatment for minors; parental notification required.

Chief Patron: Lingamfelter

Summary:

Requires any state or local government employee providing mental health treatment to a minor to notify the minor's parent, legal guardian, or person standing in loco parentis of the provision of services within five days of the provision of services.

Status:

12/17/07 House: Prefiled and ordered printed; offered 01/09/08 083133600

12/17/07 House: Referred to Committee on Health, Welfare and Institutions

HB123 Higher educational institutions; enrollment of aliens.

Chief Patron: Hargrove

Summary:

Provides that any alien must present legal documentation of residence or educational status to be eligible for initial enrollment in any public institution of higher education in Virginia.

Status:

12/18/07 House: Prefiled and ordered printed; offered 01/09/08 088409532

12/18/07 House: Committee

12/18/07 House: Committee Referral Pending

HB128 Retirement System; creating new defined contribution retirement plan.

Chief Patron: Purkey

Summary:

Creates a new defined contribution retirement plan for all employees who begin employment on or after July 1, 2008, in lieu of participating in any other retirement plan administered by the Virginia Retirement System. All other employees may elect to participate in the plan in lieu of participating in any other retirement plan administered by the Virginia Retirement System.

Status:

12/20/07 House: Prefiled and ordered printed; offered 01/09/08 088349692

12/20/07 House: Referred to Committee on Appropriations

HB143 Medical bills and charges; patient, patient's attorney, etc. may obtain list at no cost.

Chief Patron: Kilgore

Summary:

Provides that a patient, patient's attorney, or insurance provider may obtain a list of charges or an account balance pertaining to that patient at no cost.

Status:

12/21/07 House: Prefiled and ordered printed; offered 01/09/08 084664588

12/21/07 House: Referred to Committee for Courts of Justice

01/10/08 House: Assigned Courts sub: Civil

HB165 Higher educational institutions; automatic admission to certain students.

Chief Patron: Poisson

Summary:

Directs the governing boards of public institutions of higher education to provide for the automatic acceptance of those resident students applying for admission who: (i) have graduated from a public or private high school in Virginia with a grade point average in the top 10 percent of such student's graduating class; and (ii) have completed 320 hours of community service in a program approved by the Secretary of Education, in the year preceding the academic year for which the student is seeking admission.

Status:

12/26/07 House: Prefiled and ordered printed; offered 01/09/08 088146688

12/26/07 House: Referred to Committee on Education

HB166 Venture capital investments; creates program which makes investment return guarantees for certain.

Chief Patron: Purkey

Summary:

Creates a program under which the Commonwealth makes investment return guarantees for certain investments made between January 1, 2008, and January 1, 2013, in venture capital funds that invest in technology firms located in the Commonwealth. The Virginia Economic Development Partnership Authority shall administer the program.

Status:

12/26/07 House: Prefiled and ordered printed; offered 01/09/08 088192692

12/26/07 House: Referred to Committee on Appropriations

HB280 Decedent's will; unsupervised probate.

Chief Patron: Watts

Summary:

Allows a will to be probated without supervision or intervention of the court if the will requests such probate or all beneficiaries of the will agree to such probate.

Status:

01/02/08 House: Prefiled and ordered printed; offered 01/09/08 084513784

01/02/08 House: Referred to Committee for Courts of Justice

01/10/08 House: Assigned Courts sub: Civil

HB313 Freedom of Information Act; working papers and correspondence.

Chief Patron: Landes

Summary:

Removes the current exemption in FOIA for working papers and correspondence for the president or other chief executive officer of any public institution of higher education in Virginia.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 081759592

01/04/08 House: Referred to Committee on General Laws

HB324 Accounts, Department of; establishment of division for collection of receivables.

Chief Patron: Saxman

Summary:

Establishes the Division for the Collection of Receivables within the Department of Accounts to oversee the Commonwealth's accounts receivables program pursuant to the Virginia Debt Collection Act (§ 2.2-4800 et seq.). The Division will enforce policies and procedures adopted by the Department for reporting, accounting for, and collecting the Commonwealth's accounts receivable and serve as a central clearinghouse providing collection services to state agencies for all accounts receivable.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 088097712

01/04/08 House: Referred to Committee on General Laws

HB390 Compromised Data Notification Act; created.

Chief Patron: Bulova

Summary:

Creates the Compromised Data Notification Act, which, following discovery or notification of a breach of a security system, requires a state agency that owns or licenses computerized data that includes personal information to provide notice of the breach to all residents of Virginia whose unencrypted personal information was or is reasonably believed to have been acquired by an unauthorized person. The notice shall be given in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the system.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 088104444

01/04/08 House: Referred to Committee on General Laws

01/11/08 House: Impact statement from DPB (HB390)

HB407 Freedom of Information Act; exemptions for certain records of public institutions of higher ed.

Companion Bill: SB130

Chief Patron: Oder

Summary:

Exempts records maintained by a public institution of higher education in connection with fundraising activities conducted by or for such institution to the extent that such records reveal (i) personal fundraising strategies relating to identifiable donors or prospective donors or (ii) wealth assessments; estate, financial, or tax planning information; health-related information; employment, familial, or marital status information; electronic mail

addresses, facsimile or telephone numbers; birth dates or social security numbers of identifiable donors or prospective donors.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 084508668

01/04/08 House: Referred to Committee on General Laws

HB422 Abortion; post-viability.

Chief Patron: Marshall, R.G.

Summary:

Provides that no abortion shall be performed following a determination by two physicians that the fetus to be aborted is viable. A violation is a Class 4 felony.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 080557616

01/04/08 House: Referred to Committee for Courts of Justice

01/07/08 House: Impact statement from VCSC (HB422)

HB424 Higher educational institutions; possession of concealed handguns by faculty members.

Chief Patron: Marshall, R.G.

Summary:

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

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 085912616

01/04/08 House: Referred to Committee on Militia, Police and Public Safety

HB425 Higher educational institutions; birth certificate required for admission, report.

Chief Patron: Marshall, R.G.

Summary:

Provides that each public institution in Virginia must require first-time entering freshmen, upon admission, to submit a certified copy of their birth certificate, or an affidavit in the absence of the birth certificate, noting the place and country of birth. Students who fail to submit a certified birth certificate or an affidavit are ineligible for reduced in-state tuition and other state financial aid. Each institution must report this information, without disclosing personally identifiable information, on its website and to the State Council of Higher Education, and make written copies of the information available upon request. The Council must report the aggregate number of such students by place and country of birth on its website.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 084164616

01/04/08 House: Committee

01/04/08 House: Committee Referral Pending

HB429 Abortion; forced or coerced prohibited, penalty.

Chief Patron: Marshall, R.G.

Summary:

Provides that any person who forces or coerces a pregnant female of any age to have an abortion against her will is guilty of a Class 1 misdemeanor. However, if such a violation is committed by the father or putative father of the unborn child when the pregnant female is less than 18 years of age, and the father or putative father is 18 years of age or older, the father or putative father is guilty of a Class 6 felony.

Status:

01/04/08 House: Prefiled and ordered printed; offered 01/09/08 080558616

01/04/08 House: Referred to Committee for Courts of Justice

01/07/08 House: Impact statement from VCSC (HB429)

HB482 Higher educational institutions; optional retirement plan for certain employees.

Companion Bill: SB128

Chief Patron: Shuler

Summary:

Provides that the annual contribution to optional retirement plans covering certain employees at institutions of higher education would not be less than the percentage contribution rate in effect that is generally applicable for state employees who are members of the Virginia Retirement System, including the five percent member contribution rate.

Status:

01/07/08 House: Prefiled and ordered printed; offered 01/09/08 084574732

01/07/08 House: Referred to Committee on Appropriations

HB502 Certificate of public need; fostering competition.

Chief Patron: Hamilton

Summary:

Creates a preference for proposed services or facilities to be established in health planning regions in which a single health care provider system controls an aggregate of 40 percent of the existing acute care beds and earns more than \$1 billion in aggregate annual net patient revenues when determining whether a public need for a project has been demonstrated.

Status:

01/07/08 House: Prefiled and ordered printed; offered 01/09/08 088139528

01/07/08 House: Referred to Committee on Health, Welfare and Institutions

HB577 Campus police; report of certain incidents to local law-enforcement agency.

Chief Patron: Alexander

Summary:

Requires the chief of the campus police department of a public or private institution of higher education to report the death or an alleged rape of any person on campus property to the local law-enforcement agency of the locality in which the institution is located. The local law-enforcement agency would assume responsibility for leading the investigation, with cooperation from the institution of higher education.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 088360408

01/08/08 House: Referred to Committee on Education

HB594 Educational Facilities Bond Act of 2008; created.

Companion Bill: SB581

Chief Patron: Hamilton

Summary:

Authorizes the issuance of 9(b) bonds in a principal amount not to exceed \$1,525,492,000 for certain educational facilities, subject to approval by the voters voting at the November 4, 2008, general election.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 082863818

01/08/08 House: Referred to Committee on Appropriations

HB751 Involuntary hearing results; accessibility by colleges and universities.

Chief Patron: Peace

Summary:

Allows colleges and universities to access the outcome of an involuntary commitment hearing by making a motion to the court.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 081440432

01/08/08 House: Referred to Committee on Health, Welfare and Institutions

HB752 Higher educational institutions; mental health record release authorization when enrolling.

Chief Patron: Peace

Summary:

Requires institutions of higher education to obtain a mental health record release authorization from students prior to enrollment.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 088427432

01/08/08 House: Referred to Committee on Education

HB852 **Governmental employees; repeals provisions that prohibit bargaining with labor union.**

Chief Patron: Ebbin

Summary:

Repeals provisions that prohibit state and local officers, agents, and governing bodies from collectively bargaining with a labor union or other employee association as a bargaining agent of public officers or employees.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 088383492

01/08/08 House: Referred to Committee on Rules

HB900 **Value engineering; submission thereof to report to Division of Engineering & Buildings.**

Chief Patron: Scott, J.M.

Summary:

Requires the submission of a value engineering report to the Division of Engineering and Buildings. Under the bill each item included in the value engineering report must be designated as accepted, declined, or accepted as modified. The report must be approved by the Division before the project may move to the next phase of design.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 082364720

01/08/08 House: Referred to Committee on General Laws

HB989 **University of Virginia; appointment of board of visitors.**

Companion Bill: SB569

Chief Patron: Bell

Summary:

Provides that all appointments made on or after July 1, 2008, to the board of visitors must be for terms of four years that commence on July 1 of the first year of appointment. Such terms expire on June 30 of the year of scheduled expiration, including appointments made before July 1, 2008.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 080650432

01/08/08 House: Referred to Committee on Education

HB1005 **Higher educational institutions; notification to parent of mental health treatment for student.**

Chief Patron: Bell

Summary:

Requires the board of visitors or other governing board of any public institution of higher education to establish policies and procedures requiring the notification of a parent of a dependent student when such student receives

mental health treatment at the institution's student health or counseling center and it has been determined that the student may cause serious bodily harm to himself or others.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 081449432

01/08/08 House: Referred to Committee on Education

HB1011 Higher educational institutions; admission of in-state students.

Chief Patron: Hugo

Summary:

Provides that the board of visitors or other governing body of each public institution of higher education, except for the Virginia Military Institute, Norfolk State University, and Virginia State University, must establish rules and regulations requiring that at least 75% of students admitted and enrolled at the institution be Virginia domiciles.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 086968548

01/08/08 House: Referred to Committee on Education

HB1021 Telecommuting; establishes goal for state agencies.

Chief Patron: Hugo

Summary:

Establishes a goal for state agencies to have 20 percent of their eligible workforce telecommuting by January 1, 2010.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 085666548

01/08/08 House: Referred to Committee on General Laws

01/11/08 House: Impact statement from DPB (HB1021)

HB1058 Higher educational institutions; release of educational records.

Chief Patron: Amundson

Summary:

Requires the board of visitors or other governing board of any public institution of higher education to establish policies and procedures requiring the release of a student's educational record if the parent requesting the record claims the student as a dependent.

Status:

01/09/08 House: Prefiled and ordered printed; offered 01/09/08 087880412

01/09/08 House: Committee

01/09/08 House: Committee Referral Pending

01/09/08 House: Referred to Committee on Education

HB1195 Department of General Services; Green Buildings Act.

Chief Patron: Moran

Summary:

Requires all major facility projects of state agencies to be constructed to meet the United States Green Building Council Leadership in Energy and Environment Design (LEED) silver certification standard, unless granted an exemption by the Director of the Department of General Services. Such projects will not be required to obtain official LEED certification. Application of the requirement will be phased in over the next three years based on the square footage of the project. The provisions of the bill do not apply to construction projects of public school districts. The bill also requires the use of compact fluorescent light bulbs in state-owned and occupied buildings by January 1, 2010.

Status:

01/09/08 House: Prefiled and ordered printed; offered 01/09/08 082380648

01/09/08 House: Committee

01/09/08 House: Committee Referral Pending

01/09/08 House: Referred to Committee on General Laws

HB1251 Institutions of higher education; notification of mental health treatment.

Chief Patron: Fralin

Summary:

Requires the board of visitors or other governing board of any public institution of higher education to establish policies and procedures requiring the notification of a parent of a dependent student when such student receives mental health treatment at the institution's student health or counseling center and the student is found to be a danger to himself or others.

Status:

01/09/08 House: Prefiled and ordered printed; offered 01/09/08 088518504

01/09/08 House: Committee

01/09/08 House: Committee Referral Pending

01/09/08 House: Referred to Committee on Education

HJ23 Commending the University of Virginia Hospital Auxiliary on the occasion of its 100th anniversary.

Chief Patron: Toscano

Summary:

Commending the University of Virginia Hospital Auxiliary on the occasion of its 100th anniversary.

Status:

12/07/07 House: Prefiled and laid on Speaker's table; offered 01/09/08 087728752

01/07/08 House: Introduced bill reprinted 087728752

01/11/08 House: Engrossed by House

01/11/08 House: Agreed to by House by voice vote

01/11/08 House: Communicated to Senate

HJ43 **Higher educational institutions, online; Council of Higher Education to study establishment thereof.**

Chief Patron: Poisson

Summary:

Requests that the State Council of Higher Education study the feasibility of establishing an online public institution of higher education. The Council must submit its findings and recommendations to the 2009 Session and its final findings and recommendations to the 2010 Session of the General Assembly.

Status:

12/21/07 House: Prefiled and ordered printed; offered 01/09/08 088147688

12/21/07 House: Referred to Committee on Rules

HJ91 **Higher Educational Institutions, public & private; joint subcommittee to study partnership thereof.**

Chief Patron: Hamilton

Summary:

Establishes a joint subcommittee to study the partnership of Virginias public and private institutions of higher education to address the Commonwealths education and workforce needs. In conducting its study, the joint subcommittee shall investigate opportunities for public and private institutions of higher education to work collaboratively to address the projected enrollment demand. The joint subcommittee shall (i) review and consider the findings and implications of the enrollment projection report(s) by the State Council of Higher Education, (ii) determine current and projected workforce demands and the educational support required by business and industry; (iii) evaluate the need for change in institutional missions, programs and services, and fiscal and capacity requirements of the system of higher education, in order that Virginia may meet current and projected higher educational needs in the Commonwealth; (iv) develop alternatives and options to meet the projected enrollment demand; (v) recommend ways in which public and private institutions of higher education may partner with the Commonwealth to address the educational and workforce needs in Virginia; and (vi) consider such other related matters as may be necessary to conduct a comprehensive assessment of the implications of the projected enrollment demand.

Status:

01/07/08 House: Prefiled and ordered printed; offered 01/09/08 084683528

01/07/08 House: Referred to Committee on Rules

HJ99 **Colleges and universities; joint subcommittee to study merits of operating in State year-round.**

Chief Patron: Poisson

Summary:

Establishes a joint subcommittee to study the merits of operating colleges and universities in Virginia year-round. In conducting its study, the joint subcommittee shall (i) determine the benefits of a year-round college calendar in Virginia; (ii) identify and evaluate the economic and academic advantages and disadvantages of the year-round college calendar, including, but not limited to, cost savings, rising enrollments, more rapid graduation due to accelerated programming, higher tuition and institutional costs, administrative and curriculum problems,

admissions, retention, and persistence concerns, barriers to student seasonal employment, availability and flexibility of federal financial aid and other public and private grants in aid for higher education, academic continuity, scheduling for research activities, and capacity and utilization of academic buildings, dormitories, and other facilities. The joint subcommittee must report its findings and recommendations to the 2009 Session of the General Assembly.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 088145688

01/08/08 House: Referred to Committee on Rules

HJ119 Small business; Joint Legislative Audit and Review Commission to study impact of eVirginia thereon.

Chief Patron: Nutter

Summary:

Directs the Joint Legislative Audit and Review Commission (JLARC) to study the impact of eVirginia (eVA) on small businesses in the Commonwealth. In conducting its study, JLARC shall (i) identify the total number of contracts and the total dollar amount awarded to small businesses in the Commonwealth, on an annual basis, prior to implementation of the eVA procurement system; (ii) identify the total number of contracts and the total dollar amount awarded to small businesses in the Commonwealth, on an annual basis, after implementation of the eVA procurement system; and (iii) characterize the impact of the transition to eVA on small businesses in the Commonwealth.

Status:

01/08/08 House: Prefiled and ordered printed; offered 01/09/08 087028660

01/08/08 House: Referred to Committee on Rules

HJ162 Bonds or other investment activity of state government; JLARC to study issuance and administration.

Chief Patron: Saxman

Summary:

Directs the Joint Legislative Audit and Review Commission to study the feasibility of consolidating the issuance and administration of bonds and other investment activity of state government now performed by numerous state entities.

Status:

01/09/08 House: Prefiled and ordered printed; offered 01/09/08 088096712

01/09/08 House: Referred to Committee on Rules

SB17 Medical services; State's lien for payment.

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 under 2.2-514, this lien shall be reduced by an amount proportionate to the costs, expenses, and attorney fees

incurred by the injured person.

Status:

12/12/07 Senate: Prefiled and ordered printed; offered 01/09/08 087973228

12/12/07 Senate: Referred to Committee for Courts of Justice

01/10/08 Senate: Assigned Courts sub: Civil

SB43 Environmental impact reports; requires state or local authority to submit for major state projects.

Chief Patron: Miller, Y.B.

Summary:

Requires state authority to submit an environmental impact report for projects where the land acquisition or construction costs are greater than \$1,000,000. Currently environmental impact reports must be submitted for projects where the land acquisition or construction costs are greater than \$100,000.

Status:

12/20/07 Senate: Prefiled and ordered printed; offered 01/09/08 080560276

12/20/07 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources

01/14/08 Senate: Reported from Agriculture, Conservation and Natural Resources with amendments (12-Y 0-N)

SB47 Advance directives; mental health directives follows same procedures as for medical.

Chief Patron: Whipple

Summary:

Allows for mental health advance directives, by following the same procedures as for medical advance directives. A mental health advance directive may set forth procedures or instructions with regard to mental health treatment, including consent to or refusal of mental health treatment.

Status:

12/20/07 Senate: Prefiled and ordered printed; offered 01/09/08 084668352

12/20/07 Senate: Referred to Committee on Education and Health

SB60 Involuntary commitment; criteria.

Chief Patron: Howell

Summary:

Changes the criteria for emergency custody orders, temporary detention orders, and involuntary commitment so that a person may be taken into emergency custody, placed under temporary detention, or involuntarily committed where it is found that (i) the person has a mental illness, and (ii) there exists a substantial likelihood that, as a result of that mental illness, the person will, in the near future, (a) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm, or (b) suffer serious harm due to substantial deterioration of his capacity to protect himself from harm or to provide for his basic human needs.

Status:

12/21/07 Senate: Prefiled and ordered printed; offered 01/09/08 083154248

12/21/07 Senate: Referred to Committee for Courts of Justice

SB90 **Employment; verification of eligibility.**

Chief Patron: Colgan

Summary:

Requires employers to participate in an electronic employment verification system or any equivalent federal work authorization program. The measure prohibits an employer from allowing an individual to start work unless the employer has conducted the identity verification process through the electronic employment verification system and has obtained a response that affirmatively verifies that the individual is legally eligible for employment in the United States. Violations are a Class 1 misdemeanor.

Status:

12/26/07 Senate: Prefiled and ordered printed; offered 01/09/08 081092212

12/26/07 Senate: Referred to Committee on Commerce and Labor

01/11/08 Senate: Impact statement from DPB (SB90)

SB126 **Dependent Children of University and College Faculty Reduced Tuition Program; created.**

Chief Patron: Edwards

Summary:

Establishes the Dependent Children of University and College Faculty Reduced Tuition Program, to provide 50% tuition waivers for the children of current full-time faculty members who have been employed full-time by any one or more public Virginia colleges or universities for an aggregate period of at least seven years. The tuition waivers shall be used for undergraduate education at any public institution of higher education in Virginia.

Status:

01/03/08 Senate: Prefiled and ordered printed; offered 01/09/08 084026228

01/03/08 Senate: Referred to Committee on Education and Health

SB127 **Higher educational institutions; retirement plan for teachers and administrative faculty.**

Chief Patron: Edwards

Summary:

Provides that teachers and administrative faculty of institutions of higher education who are covered under an optional retirement plan (in lieu of the Virginia Retirement System) and have 10 years of service with the Commonwealth may make a one-time, irrevocable election to transfer into VRS.

Status:

01/03/08 Senate: Prefiled and ordered printed; offered 01/09/08 082823228

01/03/08 Senate: Referred to Committee on Finance

SB128 Higher educational institutions; optional retirement plan for certain employees.

Companion Bill: HB482

Chief Patron: Edwards

Summary:

Provides that the annual contribution to optional retirement plans covering certain employees at institutions of higher education would not be less than the percentage contribution rate in effect that is generally applicable for state employees who are members of the Virginia Retirement System, including the five percent member contribution rate.

Status:

01/03/08 Senate: Prefiled and ordered printed; offered 01/09/08 082824228

01/03/08 Senate: Referred to Committee on Finance

SB130 Freedom of Information Act; exemptions for certain records of public institutions of higher ed.

Companion Bill: HB407

Chief Patron: Houck

Summary:

Exempts records maintained by a public institution of higher education in connection with fundraising activities conducted by or for such institution to the extent that such records reveal (i) personal fundraising strategies relating to identifiable donors or prospective donors or (ii) wealth assessments; estate, financial, or tax planning information; health-related information; employment, familial, or marital status information; electronic mail addresses, facsimile or telephone numbers; birth dates or social security numbers of identifiable donors or prospective donors.

Status:

01/03/08 Senate: Prefiled and ordered printed; offered 01/09/08 088093244

01/03/08 Senate: Referred to Committee on General Laws and Technology

SB132 Government Data Collection and Dissemination Practices Act; disclosure of personal information.

Chief Patron: Houck

Summary:

Provides that no agency shall require an individual to furnish or disclose his social security number (SSN) or driver's license number unless the furnishing or disclosure of such number is (i) expressly authorized by state or federal law and (ii) essential for the performance of that agency's duties. The bill also strengthens the remedies provisions of the GDCDPA by adding civil penalties matching those in FOIA, and grants general district courts the authority to hear GDCDPA cases. Additionally, the bill has enactment clauses giving it a delayed effective date of July 1, 2009, and requires state agencies to study their own collection and use of SSNs and report to the FOIA Council and JCOTS on such collection and use by October 1, 2008. The bill also contains a fourth enactment clause providing for the gathering of similar information about the use and collection of SSNs by cities, counties and towns with a population greater than 15,000. The bill is a recommendation of the Freedom

of Information Advisory Council and JCOTS.

Status:

01/03/08 Senate: Prefiled and ordered printed; offered 01/09/08 081756244

01/03/08 Senate: Referred to Committee on General Laws and Technology

SB346 State Office of Accountability.

Chief Patron: Blevins

Summary:

Establishes the State Office of Accountability to be headed by a State Inspector General to investigate complaints alleging fraud, waste, abuse, corruption, or mistreatment of citizens of the Commonwealth by a locality or state agency or public officers and employees. The bill also authorizes the State Inspector General to examine the management and operation of state agencies and provides a record exemption under the Freedom of Information Act for certain documents of the Office.

Status:

01/08/08 Senate: Prefiled and ordered printed; offered 01/09/08 086621204

01/08/08 Senate: Referred to Committee on General Laws and Technology

SB447 Department of General Services; capital outlay projects; LEED standards applicable.

Chief Patron: Petersen

Summary:

Requires all state-owned buildings that encompass a total of area of over 10,000 square feet to meet the United States Green Building Council Leadership in Energy and Environment Design (LEED) silver certification standard, unless granted an exemption by the Director of the Department of General Services. The provisions of the bill do not apply to construction projects of public school districts.

Status:

01/09/08 Senate: Prefiled and ordered printed; offered 01/09/08 087981293

01/09/08 Senate: Referred to Committee on General Laws and Technology

SB516 Public employment; required eligibility verification documentation.

Chief Patron: Cuccinelli

Summary:

Prohibits state and local government agencies from knowingly employing any person who is not a citizen of the United States or who does not provide employment eligibility verification documentation as specified in the Department of Homeland Security Employment Eligibility Verification Form I-9 indicating that he is legally eligible for employment in the United States. An intentional violation of this prohibition by any state employee or official, after notice from the Governor, or his designees, to desist, shall subject him to suspension or permanent dismissal from employment or office. The bill also requires the Department of Human Resource Management to compile an annual report detailing (i) the number of persons suspended and the length of the suspensions, and (ii) the number of persons permanently dismissed.

Status:

01/09/08 Senate: Prefiled and ordered printed; offered 01/09/08 082356216

01/09/08 Senate: Referred to Committee for Courts of Justice

SB538 Higher education; first warning and emergency notification system required.

Chief Patron: Obenshain

Summary:

Mandates that by August 1, 2008, each public institution of higher education establish a comprehensive, prompt, and reliable first warning and emergency notification system for students, staff, and faculty.

Status:

01/09/08 Senate: Prefiled and ordered printed; offered 01/09/08 081404804

01/09/08 Senate: Referred to Committee on Education and Health

SB555 Auditor of Public Accounts; auditing services.

Chief Patron: Obenshain

Summary:

Provides that auditing services for city and county officials and executive branch agencies handling state funds may be performed by licensed independent certified public accountants in lieu of such services being performed by the Auditor of Public Accounts. Such officials and agencies would be authorized to contract with licensed independent certified public accountants for such auditing services. If the Auditor of Public Accounts performs such auditing services, he would be authorized to charge a fee that does not exceed the reasonable cost for similar services provided by a licensed independent certified public accountant.

Status:

01/09/08 Senate: Prefiled and ordered printed; offered 01/09/08 086254288

01/09/08 Senate: Referred to Committee on General Laws and Technology

SB569 Board of visitors; University of Virginia.

Companion Bill: HB989

Chief Patron: Saslaw

Summary:

Provides that all appointments made on or after July 1, 2008, to the board of visitors must be for terms of four years that commence on July 1 of the first year of appointment. Such terms expire on June 30 of the year of scheduled expiration, including appointments made before July 1, 2008.

Status:

01/09/08 Senate: Prefiled and ordered printed; offered 01/09/08 086616324

01/09/08 Senate: Referred to Committee on Education and Health

SB581 General obligation bonds; educational facilities.

Companion Bill: HB594

Chief Patron: Colgan

Summary:

Authorizes the issuance of 9(b) bonds in a principal amount not to exceed \$1,525,492,000 for certain educational facilities, subject to approval by the voters voting at the November 4, 2008, general election.

Status:

01/09/08 Senate: Prefiled and ordered printed; offered 01/09/08 082864818

01/09/08 Senate: Referred to Committee on Finance

SB636 Higher education; high school records.

Chief Patron: Cuccinelli

Summary:

Requires each public institution of higher education, and allows private institutions of higher education, to request from the originating school a complete student record, including any mental health records held by the school, of each student accepted to such institution. These records shall be kept confidential as required by state and federal law, including the Family and Educational Rights and Privacy Act, 20 U.S.C. 1232g.

Status:

01/09/08 Senate: Prefiled and ordered printed; offered 01/09/08 087995216

01/09/08 Senate: Referred to Committee on Education and Health