

President's Legislative Status Report
University of Virginia -- Office of State Governmental Relations
February 11, 2009

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HB1591 Ombudsman, Office of State; created.

Chief Patron: Morgan

Summary:

Establishes the Office of the State Ombudsman to investigate citizen complaints alleging (i) fraud, waste, or abuse of state property or resources, (ii) mismanagement, or (iii) neglect of duty. A record exemption from the Freedom of Information Act is also provided for investigative notes, correspondence and information furnished in confidence to the State Ombudsman during the investigation of a complaint.

Status:

01/09/09 House: Introduced bill reprinted 089394652

01/12/09 House: Assigned GL sub: Professional/Occupational/Adminstrative Process

01/13/09 House: Impact statement from DPB (HB1591)

01/27/09 House: Subcommittee recommends striking from the docket by voice vote

01/29/09 House: Stricken from docket by General Laws

HB1598 Certificate of public need; criteria for determining need and method of filing.

Chief Patron: Hamilton

Summary:

Replaces existing criteria for determining need for the purposes of a Certificate of Public Need with six new criteria including (i) the extent to which the proposed service or facility will provide or increase accessibility to the residents of the area to be served and the effects on accessibility in areas having distinct and unique geographic, socioeconomic, cultural, transportation, and other barriers to care; (ii) the level of documented community support from the citizens, businesses, and governmental leaders; (iii) the extent to which the proposed service or facility will impact the costs of and charges for providing quality health services; (iv) the extent to which the proposed service or facility increases institutional competition; (v) the extent to which the proposed service or facility will promote quality assurance and cost effectiveness through improvements or innovations in the financing and delivery of health services; and (vi) the extent to which the proposed service or facility will increase service to indigent populations. This bill also allows for the electronic filing of applications for a Certificate of Public Need.

Status:

01/20/09 House: Read third time and passed House (88-Y 0-N 1-A)

01/20/09 House: VOTE: --- PASSAGE (88-Y 0-N 1-A)

01/21/09 Senate: Constitutional reading dispensed

01/21/09 Senate: Referred to Committee on Education and Health

02/10/09 Senate: Assigned Education sub: Health Licensing

HB1608 Higher educational institutions; automatic acceptance of certain students applying for admission.

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 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 have been honorably discharged from service in the United States Armed Forces, the United States Armed Forces Reserves, the Virginia National Guard, or the Virginia National Guard Reserve.

Status:

01/06/09 House: Referred to Committee on Education
01/19/09 House: Impact statement from DPB (HB1608)
01/20/09 House: Assigned Education sub: Higher Education and Arts
01/20/09 House: Subcommittee recommends laying on the table by voice vote
02/10/09 House: Left in Education

HB1638 College Scholarship Assistance Program; out-of-state student surcharge to be collected.

Chief Patron: Poisson

Summary:

Provides that the State Council of Higher Education must collect a surcharge from each out-of-state student attending a public institution of higher education in the Commonwealth. The amount of the surcharge for each student represents the difference between 350 percent of the annual in-state tuition rate charged at the institution at which the student is enrolled and the amount charged annually for out-of-state tuition at the institution at which the student is enrolled. The funds collected by SCHEV from such surcharge must be applied to the College Scholarship Assistance Program.

Status:

12/10/08 House: Referred to Committee on Education
01/20/09 House: Assigned Education sub: Higher Education and Arts
01/26/09 House: Impact statement from DPB (HB1638)
01/27/09 House: Subcommittee recommends laying on the table by voice vote
02/10/09 House: Left in Education

HB1639 Human beings, preborn; constitutional right to enjoyment of life from moment of fertilization.

Chief Patron: Marshall, R.G.

Summary:

Provides that "the right to enjoyment of life" guaranteed by Article 1, Section 1 of the Constitution of Virginia is vested in each born and preborn human being from the moment of fertilization.

Status:

12/10/08 House: Prefiled and ordered printed; offered 01/14/09 090689616
12/10/08 House: Referred to Committee for Courts of Justice
02/10/09 House: Left in Courts of Justice

HB1641 Efficiency in Government Advisory Councils; established.

Chief Patron: Marshall, R.G.

Summary:

Establishes an Efficiency in Government Advisory Council for each secretariat of state government to review

the operations of the agencies within the assigned secretariat for the purposes of identifying efficiencies and determining specific operational areas where savings may be realized. Under the bill, all recommendations that result in identifiable monetary savings among agencies within the assigned secretariat shall be presented to the Governor and General Assembly no later than November 30 of each year. Savings resulting from implementation of the recommendations will accrue to the general fund.

Status:

12/10/08 House: Prefiled and ordered printed; offered 01/14/09 092326616

12/10/08 House: Referred to Committee on Rules

01/13/09 House: Impact statement from DPB (HB1641)

02/03/09 House: Incorporated by Rules (HB2463-O'Bannon)

HB1656 Concealed handguns; allows faculty members at institutions of higher education to carry on campus.

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:

12/15/08 House: Prefiled and ordered printed; offered 01/14/09 095960616

12/15/08 House: Referred to Committee on Militia, Police and Public Safety

02/10/09 House: Left in Militia, Police and Public Safety

HB1668 Garnishment; exemption for parent who supports dependent child or children residing with him.

Companion Bill: SB1007

Chief Patron: Kilgore

Summary:

Provides that a parent who supports a dependent child or children residing with him for whom he does not receive child support payments may hold exempt from garnishment an additional amount for the support of the child or children as follows: \$51 per week for one child; \$79 per week for two children; and \$99 per week for three children. The court may add additional sums as necessary for the support of additional dependent children for whom no child support payment is received. This additional exemption amount shall not be available to a parent whose household gross income exceeds \$4,000 per month.

Status:

02/03/09 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

02/04/09 Senate: Constitutional reading dispensed

02/04/09 Senate: Referred to Committee for Courts of Justice

02/05/09 House: Impact statement from DPB (HB1668H1)

02/11/09 Senate: Assigned Courts sub: Civil

HB1684 Retirement System; retirees may be hired as nurses without interrupting retirement benefits.

Companion Bill: SB1056

Chief Patron: Valentine

Summary:

Provides that retired persons who are members of the Virginia Retirement System may be hired as nurses without interrupting their retirement benefits under the following conditions: (i) the person has been receiving such retirement allowance for a minimum period of time as jointly determined by VRS and the Joint Legislative Audit and Review Commission; (ii) the person has not retired pursuant to an early retirement incentive; and (iii) the person did not voluntarily resign or voluntarily retire under the Workforce Transition Act of 1995.

Status:

12/29/08 House: Prefiled and ordered printed; offered 01/14/09 092816760

12/29/08 House: Referred to Committee on Appropriations

01/19/09 House: Assigned App. sub: Compensation and Retirement (Hogan, Clarke N.)

01/23/09 House: Impact statement from VRS (HB1684)

02/10/09 House: Left in Appropriations

HB1696 Higher education; increase of admission of in-state students at public institutions.

Chief Patron: Albo

Summary:

Provides that the board of visitors or other governing body of each public institution of higher education must establish rules and regulations increasing the number of admitted Virginia domiciles 1.3 percent annually until the number of admitted Virginia domiciles reaches 80 percent of all admitted students.

Status:

01/27/09 House: Subcommittee recommends referring to Appropriations by voice vote

02/02/09 House: Referred from Education

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

02/03/09 House: Assigned App. sub: Higher Education (Morgan)

02/10/09 House: Left in Appropriations

HB1703 Indoor Clean Air Act; prohibits smoking in public building, restaurants, etc., exceptions.

Chief Patron: Cosgrove

Summary:

Provides that it shall be unlawful for any person to smoke in any establishment built and operated after July 1, 2010, as a restaurant, unless such establishment is constructed in such a manner that areas where smoking may be permitted are structurally separated from the portion of the restaurant in which smoking is prohibited and such areas contain structurally separated ventilation systems. Additionally, the bill provides that no wait staff or busboys in such restaurants shall be required by the proprietors or person who manages or otherwise controls any such restaurant to work in smoking areas mandated by this section without consent of such employees. The bill prohibits smoking in any building owned or leased by the Commonwealth or agency thereof or any locality. The bill contains technical amendments.

Status:

02/09/09 House: Engrossed by House - committee substitute with amendments HB1703EH1

02/09/09 House: Printed as engrossed 091848584-EH1

02/09/09 House: VOTE: --- ENGROSSMENT (61-Y 38-N)
02/10/09 House: Read third time and passed House (61-Y 37-N)
02/10/09 House: VOTE: --- PASSAGE (61-Y 37-N)

HB1710 Contracts; certain indemnification provisions in construction contracts declared void.

Chief Patron: Oder

Summary:

Provides that any provision in a contract relating to the construction by which the contractor performing such work purports to indemnify or hold harmless another party to the contract against liability for damage arising out of bodily injury to persons or damage to property suffered in the course of performance of the contract, caused by or resulting in whole or in part from the negligence of such other party or his agents or employees, is against public policy. Currently, such damage or injury must result solely from the negligence of such other party for such provision to be against public policy.

Status:

01/05/09 House: Prefiled and ordered printed; offered 01/14/09 096658668
01/05/09 House: Referred to Committee on General Laws
01/14/09 House: Assigned GL sub: Professional/Occupational/Adminstrative Process
01/27/09 House: Subcommittee recommends referring to VA Housing Commission by voice vote
02/10/09 House: Left in General Laws

HB1810 Course credit; students called to active military duty may receive full credit.

Chief Patron: Morrissey

Summary:

Provides that in certain circumstances a student called to active military duty during a course at an institution of higher education may still receive full course credit.

Status:

01/29/09 House: VOTE: --- PASSAGE (99-Y 0-N)
01/30/09 Senate: Constitutional reading dispensed
01/30/09 Senate: Referred to Committee on Education and Health
02/03/09 House: Impact statement from DPB (HB1810H1)
02/10/09 Senate: Assigned Education sub: Higher Education

HB1812 Questioning employees about criminal convictions; prohibits employer from asking about certain.

Chief Patron: Morrissey

Summary:

Prohibits a state agency employer from asking an existing or prospective employee about the individual's record of arrests or convictions, unless the question refers to an arrest or conviction that occurred within the preceding eight years or was for a violent felony. An employer may not take negative employment actions against an individual based on a response to a prohibited question. A violation is punishable by a \$500 civil penalty.

Status:

01/12/09 House: Referred to Committee for Courts of Justice
01/16/09 House: Impact statement from DPB (HB1812)
01/16/09 House: Assigned Courts sub: Criminal
01/19/09 House: Subcommittee recommends passing by indefinitely by voice vote
02/10/09 House: Left in Courts of Justice

HB1814 Plastic bags; bans use by retailers at point of sale unless designed & manufactured for reuse.

Companion Bill: SB873

Chief Patron: Morrissey

Summary:

Bans the use of plastic carryout bags by retailers at the point of sale unless such bags are (i) durable plastic bags with handles; (ii) at least 2.25 mils thick; and (iii) specifically designed and manufactured for multiple reuse.

Status:

01/12/09 House: Prefiled and ordered printed; offered 01/14/09 098542653
01/12/09 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources
02/10/09 House: Left in Agriculture, Chesapeake and Natural Resources

HB1815 Questioning employees about criminal convictions; prohibits employer from asking about certain.

Chief Patron: Morrissey

Summary:

Prohibits an employer from asking an existing or prospective employee about the individual's record of arrests or convictions, unless the question refers to an arrest or conviction that occurred within the preceding 8 years or was for a violent felony. An employer may not take negative employment actions against an individual based on a response to a prohibited question. A violation is a Class 1 misdemeanor.

Status:

01/12/09 House: Referred to Committee for Courts of Justice
01/16/09 House: Impact statement from DPB (HB1815)
01/16/09 House: Assigned Courts sub: Criminal
01/19/09 House: Subcommittee recommends striking from the docket by voice vote
01/21/09 House: Stricken from docket by Courts of Justice

HB1834 University of Virginia; repeals requirement that board of visitors submit annual report of progress.

Chief Patron: Toscano

Summary:

Repeals the requirement that the University of Virginia board of visitors submit an annual report of the progress of the University to the General Assembly.

Status:

01/21/09 House: Read second time and engrossed
01/22/09 House: Read third time and passed House (95-Y 0-N 1-A)
01/22/09 House: VOTE: --- PASSAGE (95-Y 0-N 1-A)
01/23/09 Senate: Constitutional reading dispensed
01/23/09 Senate: Referred to Committee on Education and Health

HB2037 Debt Collection Recovery Fund; established.

Chief Patron: Iaquinto

Summary:

Establishes the Debt Collection Recovery Fund. The bill also provides that the Division of Debt Collection shall (i) deposit to the Fund all revenues generated by it, less any cost of recovery, from receivables collected on behalf of state agencies and (ii) transfer the remaining funds to the appropriate state agencies on a periodic basis. In addition, the bill provides that final orders of final agency case decisions may be recorded, enforced, and satisfied as orders or decrees of a circuit court upon certification of such orders by the agency head or his designee. Furthermore, each state agency and institution may charge attorney's fees and collection fees on all past due accounts receivable.

Status:

02/10/09 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)
02/10/09 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)
02/10/09 House: Reconsideration of passage agreed to by House
02/10/09 House: Passed House BLOCK VOTE (99-Y 0-N)
02/10/09 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

HB2044 Health information technology; Information Technology Investment Board establish advisory committee.

Chief Patron: Nixon

Summary:

Allows the Information Technology Investment Board to establish an advisory committee, consisting of persons with expertise in health care and information technology, to advise it on the adoption of health information technology technical and data standards.

Status:

01/29/09 House: Printed as engrossed 095974826-E
01/30/09 House: Read third time and passed House (96-Y 0-N 1-A)
01/30/09 House: VOTE: --- PASSAGE (96-Y 0-N 1-A)
02/02/09 Senate: Constitutional reading dispensed
02/02/09 Senate: Referred to Committee on General Laws and Technology

HB2060 Mental health law; amends statutes to address issues resulting from overhaul thereof.

Companion Bill: SB1083

Chief Patron: Hamilton

Summary:

Amends mental health statutes to address issues resulting from the overhaul of mental health laws during the 2008 Session. This bill clarifies requirements that law-enforcement initiated emergency custody remains subject to the four hour limit and two hour extension provisions; clarifies that the employee or designee of the community services board attending a commitment hearing need not be the person who prepared the prescreening report, and that neither the employee or designee of the community services board attending a commitment hearing nor the independent examiner who attends the commitment hearing shall be excluded pursuant to an order of sequestration of the witnesses; clarifies that the prescreening report shall be admitted into evidence and made part of the record of the case; and extends the CCRE reporting requirement to close of business on the next business day following the hearing resulting in involuntary commitment. This bill has an emergency clause.

Status:

02/06/09 Senate: Read second time

02/09/09 Senate: Read third time

02/09/09 Senate: Reading of amendments waived

02/09/09 Senate: Committee amendments agreed to

02/09/09 Senate: Passed Senate with amendments (40-Y 0-N)

HB2121 Public Procurement Act; verification of legal presence of contractors for employment.

Chief Patron: Nichols

Summary:

Requires all public contractors and their subcontractors to register and participate in a federal Electronic Work Verification Program or similar electronic verification of work authorization program to determine that their employees and individual independent contractors are legally eligible for employment in the United States. Contractors and subcontractors are required to verify the employment status of their employees and independent contractors, and are prohibited from employing or contracting with an individual who is determined not to be legally eligible for employment in the United States as determined through the verification of the individual's status. Contractors who do not register and participate in the registration program are ineligible for prequalification. The measure becomes effective on July 1, 2010.

Status:

01/29/09 House: Referred from General Laws

01/29/09 House: Referred to Committee for Courts of Justice

02/02/09 House: Assigned Courts sub: Civil

02/02/09 House: Subcommittee recommends referring to Small Business Commission by voice vote

02/10/09 House: Left in Courts of Justice

HB2154 Retirement System; creates new defined contribution retirement plan for certain employees.

Chief Patron: Purkey

Summary:

Creates a new defined contribution retirement plan for all employees who begin employment on or after July 1,

2009, 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:

01/14/09 House: Prefiled and ordered printed; offered 01/14/09 098227692

01/14/09 House: Referred to Committee on Appropriations

01/20/09 House: Assigned App. sub: Compensation and Retirement (Hogan, Clarke N.)

01/23/09 House: Impact statement from VRS (HB2154)

02/10/09 House: Left in Appropriations

HB2158 Charlottesville-Albemarle Regional Transit Authority; established.

Chief Patron: Toscano

Summary:

Establishes a local transit authority in the Charlottesville-Albemarle area. The Authority shall prepare a regional transit plan for all or portions of those areas located within the City of Charlottesville and all or such portions of the Counties of Albemarle, Fluvanna, Greene, Louisa, and Nelson as their governing bodies desire to have covered, to include, but not necessarily be limited to, transit improvements of regional significance.

Status:

02/04/09 House: Printed as engrossed 094326752-E

02/05/09 House: Read third time and passed House (95-Y 4-N)

02/05/09 House: VOTE: --- PASSAGE (95-Y 4-N)

02/06/09 Senate: Constitutional reading dispensed

02/06/09 Senate: Referred to Committee on Local Government

HB2174 Retention of energy savings by state agencies; established.

Chief Patron: Hogan

Summary:

Establishes a program under which the amount of general funds appropriated for a state agency's operating costs will be held harmless from any reduction in projected operational expenditures that results from the state agency's implementation of an energy conservation program. State agencies are required to prepare an approved energy conservation program for each building the state agency occupies or, if it does not occupy an entire building, for the portion of a building it occupies, based on guidelines to be developed by the Department of General Services. The program is required to identify specific measures that the state agency may implement in order to reduce energy expenditures. The Department shall track the energy expenditures for each state agency and calculate its energy savings, which shall be reported to the Department of Planning and Budget, the House Appropriations Committee, and the Senate Finance Committee.

Status:

01/14/09 House: Prefiled and ordered printed; offered 01/14/09 090056536

01/14/09 House: Referred to Committee on General Laws

01/23/09 House: Assigned GL sub: FOIA

01/29/09 House: Stricken from docket by General Laws

01/30/09 House: Impact statement from DPB (HB2174)

HB2207 Virginia Budget Office; established.

Chief Patron: Frederick

Summary:

Establishes the Virginia Budget Office in the legislative branch of state government. The Office will have the power and duty to (i) prepare fiscal impact statements on legislation, (ii) investigate the operating efficiencies of state agencies, (iii) explore opportunities to privatize, outsource, consolidate, and reorganize various governmental functions to operate more efficiently, (iv) examine policies and strategies that can be instituted to streamline government programs, (v) undertake any research and analysis that would provide creditable, lower cost alternatives to existing or proposed budget programs, (vi) provide revenue and growth forecasts to the House Appropriations Committee, the Senate Finance Committee and the General Assembly, and (vii) analyze policy proposals offered in other states or elsewhere that have been offered or implemented.

Status:

01/14/09 House: Referred to Committee on Appropriations

01/20/09 House: Assigned App. sub: Technology Oversight & Government Activities (Landes)

01/21/09 House: Impact statement from DPB (HB2207)

02/03/09 House: Subcommittee recommends laying on the table by voice vote

02/10/09 House: Left in Appropriations

HB2234 State agencies; prohibit companies that have certain business operations in Sudan from bidding.

Chief Patron: Valentine

Summary:

Provides that companies meeting certain criteria determined to be related to the genocide in the Darfur region of Sudan are ineligible to bid upon or submit proposals for goods, services, or construction to state public bodies. The bill also authorizes the Director of the Department of General Services to provide exemptions from ineligibility requirements if it is in the best interest of the Commonwealth. In addition, the bill requires all companies to provide a certification regarding their eligibility status and provides civil penalties in the event a false certification is submitted.

Status:

02/06/09 House: Subcommittee recommends

02/06/09 House: Referred from Appropriations (13-Y 10-N)

02/06/09 House: Referred to Committee on Rules

02/08/09 House: Subcommittee recommends

02/10/09 House: Left in Rules

HB2285 Auditor of Public Accounts; duties.

Companion Bill: SB936

Chief Patron: Cline

Summary:

Provides for the Virginia Enterprise Applications Program (VEAP) within the Office of the Secretary of Technology to create and maintain a searchable database website containing information on state revenues,

appropriations, and expenditures. Under the bill, the Director of VEAP shall develop a pilot searchable database website available for public use no later than July 1, 2010. Beginning in July 2013, the searchable database website shall be updated for (i) fiscal years that ended prior to July 1, 2009, and (ii) for future fiscal years not later than 60 days following the close of the fiscal year. The Director of VEAP, the Auditor of Public Accounts and the Joint Legislative Audit and Review Commission shall work together to coordinate efforts in obtaining, summarizing, and compiling information in order to avoid duplication of efforts. The website shall be made available in a format designed to encourage the greatest amount of use by the general public. The website shall provide access to all levels of budget spending in state government.

Status:

02/10/09 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)

02/10/09 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

02/10/09 House: Reconsideration of passage agreed to by House

02/10/09 House: Passed House BLOCK VOTE (99-Y 0-N)

02/10/09 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

HB2324 Higher educational institutions; at least 80% of transfer students admitted be Virginia domiciles.

Chief Patron: Athey

Summary:

Provides that the board of visitors or other governing body of each public institution of higher education must establish rules and regulations requiring that, beginning with the transfer students for the fall of 2010, at least 80 percent of transfer students admitted to the institution be Virginia domiciles. State funds must be withheld from any institution that does not fulfill the 80 percent requirement.

Status:

01/27/09 House: Impact statement from DPB (HB2324)

01/27/09 House: Subcommittee recommends incorporating into HB2475 by voice vote

02/04/09 House: Referred from Education

02/04/09 House: Referred to Committee on Appropriations

02/10/09 House: Left in Appropriations

HB2325 Higher educational institutions; at least 70% of students admitted be Virginia domiciles.

Chief Patron: Athey

Summary:

Provides that the board of visitors or other governing body of each public institution of higher education must establish rules and regulations requiring that, beginning with the incoming freshman class of 2010, at least 70 percent of students admitted to the institution be Virginia domiciles. State funds must be withheld from any institution that does not fulfill the 70 percent requirement.

Status:

01/27/09 House: Impact statement from DPB (HB2325)

01/27/09 House: Subcommittee recommends incorporating into HB 2475 by Voice Vote

02/04/09 House: Referred from Education

02/04/09 House: Referred to Committee on Appropriations

02/10/09 House: Left in Appropriations

HB2387 Green Public Buildings Act; certain new or renovated buildings to be built to certain standards.

Companion Bill: SB1252

Chief Patron: Ebbin

Summary:

Requires public bodies entering the design phase for construction of a new building greater than 5,000 gross square feet in size, or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building, to build to either the Green Globes Green Building Initiative green building rating standard or the United States Green Building Council Leadership in Energy and Environment Design green building rating standard (LEED). Exemptions from the requirement may be granted by the Director of the Department of General Services for state construction projects or the governing body of a locality or school board for local projects.

Status:

01/29/09 House: Impact statement from DPB (HB2387)

02/05/09 House: Committee substitute printed 092415492-H1

02/05/09 House: Reported from General Laws with substitute (22-Y 0-N)

02/05/09 House: Referred to Committee on Appropriations

02/10/09 House: Left in Appropriations

HB2404 Virginia Universities Clean Energy Development and Economic Stimulus Foundation; created.

Chief Patron: Bell

Summary:

Creates the Virginia Universities Clean Energy Development and Economic Stimulus Foundation as a body corporate and a political subdivision of the Commonwealth. The Foundation, with the cooperation and assistance of the University of Virginia and Virginia Polytechnic Institute and State University, shall identify, obtain, disburse and administer funding for: (i) research and development of alternative fuels, clean energy production, and related technologies; (ii) support of economic development projects in disadvantaged rural areas; and (iii) the provision of assistance in the commercialization of alternative fuels and clean energy technologies. Funding shall be awarded only to those proposed projects that best meet the established criteria and purposes of this act. Priority in the award of funding shall be accorded to those proposed projects that will be entirely or substantially conducted by one or both of the universities. The Tobacco Indemnification and Community Revitalization Commission is authorized to award to the Foundation up to five percent of the corpus of its endowment each year for five years beginning in 2009.

Status:

02/06/09 House: Committee substitute agreed to 094209432-H1

02/06/09 House: Engrossed by House - committee substitute HB2404H1

02/08/09 House: Passed by for the day

02/09/09 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)

02/09/09 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

HB2426 Government Data Collection and Dissemination Practices Act; extends implementation of prohibition.

Companion Bill: SB1318

Chief Patron: May

Summary:

Extends from July 1, 2009, to July 1, 2010, the implementation of the prohibition against collecting an individual's social security number unless collection of such number is (i) authorized or required by state or federal law and (ii) essential for the performance of that agency's duties. The bill contains several technical amendments, all to become effective July 1, 2010.

Status:

02/05/09 House: Read second time and engrossed

02/06/09 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)

02/06/09 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

02/09/09 Senate: Constitutional reading dispensed

02/09/09 Senate: Referred to Committee on General Laws and Technology

HB2427 Protection of Social Security Numbers Act; first five digits to be confidential from disclosure.

Chief Patron: May

Summary:

Provides that the first five digits of a social security number contained in a public record shall be confidential and exempt from disclosure under the Freedom of Information Act. The bill does allow release of a social security number under certain limited circumstances, including proper judicial order; to federal, state or local law-enforcement or correctional personnel; by one agency to another agency in Virginia or to an agency in another state, district, or territory of the United States; and to any data subject exercising his rights under the Government Data Collection and Dissemination Practices Act. The bill provides for penalties for violation.

Status:

02/05/09 House: Engrossed by House - committee substitute HB2427H1

02/06/09 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)

02/06/09 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

02/09/09 Senate: Constitutional reading dispensed

02/09/09 Senate: Referred to Committee on General Laws and Technology

HB2463 Government Efficiency Review Commission; established.

Chief Patron: O'Bannon

Summary:

Establishes the Government Efficiency Review Commission to review agencies on an eight-year cycle and advise the General Assembly on the elimination of waste, duplication, and inefficiency on the part of such agencies. The bill also repeals the Legislative Program Review and Evaluation Act (§ 30-64 et seq.) and makes some technical amendments.

Status:

02/09/09 House: Engrossed by House - committee substitute with amendments HB2463EH2
02/09/09 House: Printed as engrossed 092397854-EH2
02/10/09 House: Impact statement from DPB (HB2463H2)
02/10/09 House: Read third time and passed House (95-Y 3-N)
02/10/09 House: VOTE: --- PASSAGE (95-Y 3-N)

HB2464 Higher educational institutions, certain; management agreements with State.

Companion Bill: SB1156

Chief Patron: Morgan

Summary:

Provides that the 2006 management agreements in place between the Commonwealth and Virginia Polytechnic Institute and State University, the College of William and Mary, and the University of Virginia will expire on June 30, 2012. Also makes adjustments to the policies governing capital projects, procurement, and financial operations and management.

Status:

02/09/09 House: Read second time
02/09/09 House: Committee substitute agreed to 093418652-H1
02/09/09 House: Engrossed by House - committee substitute HB2464H1
02/10/09 House: Read third time and passed House (98-Y 0-N 1-A)
02/10/09 House: VOTE: --- PASSAGE (98-Y 0-N 1-A)

HB2475 Higher educational institutions; at least 75% of students admitted be Virginia domiciles.

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 percent of students admitted and enrolled at the institution be Virginia domiciles.

Status:

01/27/09 House: Impact statement from DPB (HB2475)
01/27/09 House: Subcommittee recommends referring to Appropriations by voice vote
02/04/09 House: Referred from Education
02/04/09 House: Referred to Committee on Appropriations
02/10/09 House: Left in Appropriations

HB2486 Emergency custody; authority of law-enforcement officer.

Companion Bill: SB1079

Chief Patron: Ward

Summary:

Authorizes a law-enforcement officer who is transporting a person who has voluntarily consented to being

transported to a facility for assessment or evaluation and who subsequently revokes consent to be transported to take such person into emergency custody when the law-enforcement officer determines that consent has been revoked and the person meets the criteria for emergency custody, even if the law-enforcement officer is beyond the territorial limits of the jurisdiction in which he serves. This bill also clarifies that a law-enforcement officer who takes a person into emergency custody based upon his own observations or reliable reports of others may transport such person beyond the territorial boundaries of the jurisdiction in which he serves in order to obtain the required assessment.

Status:

01/29/09 House: Printed as engrossed 093160528-E
01/30/09 House: Read third time and passed House (97-Y 0-N)
01/30/09 House: VOTE: --- PASSAGE (97-Y 0-N)
02/02/09 Senate: Constitutional reading dispensed
02/02/09 Senate: Referred to Committee for Courts of Justice

HB2519 Electric utilities; SCC to establish procedures regarding refunds of moneys collected.

Chief Patron: Phillips

Summary:

Requires the State Corporation Commission (SCC) to establish procedures regarding refunds by electric utilities of moneys collected from fuel cost tariffs in excess of actual fuel costs. The measure directs the SCC to continuously review fuel costs of all electric utilities and, if the SCC finds that a utility is in an over-recovery position, or likely to be so, to reduce the fuel cost tariffs to correct the over-recovery or require the utility to refund over-recoveries to customers. Currently, the SCC is authorized to review the fuel costs only of those utilities not bound by a rate case settlement that extended in its application beyond January 1, 2002, and if it finds that such a utility is in an over-recovery position, or likely to be so, the SCC is authorized to reduce its fuel cost tariffs to correct the over-recovery.

Status:

02/10/09 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)
02/10/09 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)
02/10/09 House: Reconsideration of passage agreed to by House
02/10/09 House: Passed House BLOCK VOTE (99-Y 0-N)
02/10/09 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

HB2547 Federal economic stimulus funds; available for State use exclusively for transportation & education.

Chief Patron: Albo

Summary:

Provides that any federal economic stimulus funds made available to Virginia be used exclusively for transportation and education infrastructure improvements. In awarding contracts, preference is to be given to Virginia businesses and Virginia subcontractors.

Status:

01/20/09 House: Presented and ordered printed 093580404
01/20/09 House: Referred to Committee on Appropriations

01/23/09 House: Assigned App. sub: Technology Oversight & Government Activities (Landes)
02/03/09 House: Impact statement from DPB (HB2547)
02/10/09 House: Left in Appropriations

HB2557 State employee health insurance plan; mandated benefits.

Companion Bill: SB1351

Chief Patron: Nixon

Summary:

Provides that any law effective on or after July 1, 2009, that provides for an insurance mandate for policies of accident and health insurance shall also apply to health insurance plans for state employees. The measure also requires the Department of Human Resource Management to report to the Special Advisory Commission on Mandated Health Insurance Benefits on cost and utilization information for each of the mandated benefits. The Special Advisory Commission's analysis of a proposed private health insurance mandate shall not be deemed to be complete unless it includes an analysis of the Department's cost and utilization information for such mandate with respect to the state employee health insurance plan covering a period of not less than 12 months.

Status:

02/09/09 House: Floor substitute printed 091850656-H3 (Nixon)
02/09/09 House: Substitute by Delegate Nixon agreed to 091850656-H3
02/09/09 House: Engrossed by House - floor substitute HB2557H3
02/10/09 House: Read third time and passed House (99-Y 0-N)
02/10/09 House: VOTE: --- PASSAGE (99-Y 0-N)

HB2579 Informed consent; ultrasound required before performing abortion to determine gestation age.

Chief Patron: Byron

Summary:

Requires that, as a component of informed consent to an abortion and determination of gestation age, every pregnant female shall be given the opportunity to view an ultrasound image of her fetus prior to the abortion.

Status:

02/09/09 House: Amendments by Delegate Byron agreed to
02/09/09 House: Engrossed by House as amended HB2579E
02/09/09 House: Printed as engrossed 098800448-E
02/10/09 House: Read third time and passed House (62-Y 36-N)
02/10/09 House: VOTE: --- PASSAGE (62-Y 36-N)

HB2608 State employees; Secretary of Administration to measure effectiveness of telecommuting, etc.

Chief Patron: Hugo

Summary:

Provides that the Secretary of Administration, in cooperation with the Secretary of Technology and in consultation with the Council on Technology Services, shall measure the effectiveness of the comprehensive statewide telecommuting and alternative work schedule policy. The bill provides that the head of each agency

shall report annually to the Secretary on the status of any programs or policies developed and implemented pursuant to this section. Any agency head failing to comply with the requirements of this section shall forfeit one percent of the moneys appropriated for the operation of the agency as provided in the appropriation act. The Secretary shall so notify the Comptroller, who shall take such moneys and deposit them into the Literary Fund. The bill also requires the Department of Human Resource Management to notify state employees by email or other method deemed appropriate by the Department of the statewide telecommuting and alternative work schedule policy.

Status:

01/22/09 House: Presented and ordered printed 098708548

01/22/09 House: Referred to Committee on General Laws

01/27/09 House: Assigned GL sub: Professional/Occupational/Administrative Process

02/02/09 House: Impact statement from DPB (HB2608)

02/10/09 House: Left in General Laws

HB2616 Tuition, in-state; person holding student or other temporary visa may establish eligibility.

Chief Patron: Hull

Summary:

Provides that a person holding a student or other temporary visa may establish eligibility for in-state tuition by providing evidence that he (i) has resided in Virginia for at least five years, (ii) has received a high school diploma from a public school in Virginia or a GED certificate, (iii) is enrolled as a student in a public institution of higher education in the Commonwealth, (iv) has paid Virginia state income taxes for at least one year prior to the date of enrollment, and (v) has filed an affidavit with the college or university where he is enrolled that he will make application for permanent residency within 90 days of the date in which he becomes eligible to do so. This bill also affords the same rights and benefits to such students as those who are otherwise eligible for in-state tuition. The State Council of Higher Education and the Board of the Virginia Community College System are required to develop guidelines for providing eligibility for in-state tuition and state financial aid to persons holding a student or other temporary visa. Information provided by such persons to establish eligibility for in-state tuition in accordance with the provisions of the legislation may not be disclosed without the written permission of the person who is the subject of the inquiry.

Status:

01/23/09 House: Presented and ordered printed 094190552

01/23/09 House: Referred to Committee on Education

01/30/09 House: Assigned Education sub: Higher Education and Arts

02/03/09 House: Subcommittee recommends laying on the table by voice vote

02/10/09 House: Left in Education

HB2617 Realignment Commission; created, report.

Chief Patron: Saxman

Summary:

Creates the Commonwealth Realignment Commission in the legislative branch of state government. The purpose of the Commission is to (i) review the operations of state agencies and state-funded programs with a view toward the reduction of nonessential programs and expenditures; (ii) examine and promote methods of

providing a portion or all of select government-provided or government-produced programs and services through the private sector by a competitive contracting program; and (iii) advise the Governor and the General Assembly of the Commission's findings and recommendations. The Commission shall consist of 10 members of the House of Delegates appointed by the Speaker thereof, of whom at least five shall be members of the House Appropriations Committee, and five members from the Senate appointed by the Committee on Rules of the Senate, of whom at least two shall be members of the Finance Committee, and the Auditor of Public Accounts, ex officio, who shall have no voting privileges. The bill also eliminates the Commonwealth Competition Council and contains technical amendments.

Status:

01/23/09 House: Presented and ordered printed 097840712
01/23/09 House: Referred to Committee on Rules
01/29/09 House: Impact statement from DPB (HB2617)
02/03/09 House: Incorporated by Rules (HB2463-O'Bannon)

HB2634 Unborn child pain information; requires doctors to offer to anesthetize fetus prior to abortion.

Chief Patron: Cline

Summary:

Requires doctors to offer to anesthetize a fetus prior to abortion and to include in informational materials a statement that a fetus at 20 gestational weeks has the physical structures necessary to feel pain and react to physical stimuli in a manner that, in an infant or adult, would be interpreted as a response to pain.

Status:

02/06/09 House: Read first time
02/08/09 House: Passed by for the day
02/09/09 House: Read second time and engrossed
02/10/09 House: Read third time and passed House (64-Y 34-N)
02/10/09 House: VOTE: --- PASSAGE (64-Y 34-N)

HB2660 Capital outlay plan; constitutes State's six-year proposal for projects.

Companion Bill: SB1531

Chief Patron: Putney

Summary:

Constitutes the Governor's statutorily required proposal of a six- year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.

Status:

02/06/09 Senate: Constitutional reading dispensed
02/06/09 Senate: Referred to Committee on Finance
02/10/09 House: Impact statement from DPB (HB2660E)
02/10/09 Senate: Reported from Finance (15-Y 1-N)
02/10/09 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

HJ653 PRODUCED in Virginia program; UVA School of Engineering & CVCC recognized for establishing.

Chief Patron: Cosgrove

Summary:

Recognizes the University of Virginia School of Engineering and Applied Science and the Central Virginia Community College for establishing the *PRODUCED in Virginia* program.

Status:

01/26/09 House: Engrossed by House

01/26/09 House: Agreed to by House BLOCK VOTE (98-Y 0-N)

01/26/09 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)

01/27/09 Senate: Reading waived

01/27/09 Senate: Referred to Committee on Rules

HJ654 Higher Education, State Council of; to study establishing four year institution in Virginia Beach.

Chief Patron: Tata

Summary:

Requests the State Council of Higher Education for Virginia to study the feasibility of establishing a four-year degree-granting institution of higher education in the City of Virginia Beach.

Status:

12/31/08 House: Prefiled and ordered printed; offered 01/14/09 098178748

12/31/08 House: Referred to Committee on Rules

01/16/09 House: Assigned Rules sub: Studies

01/29/09 House: Subcommittee recommends striking from the docket by voice vote

02/10/09 House: Left in Rules

HJ705 Higher education; joint subcommittee to study affordability in State.

Chief Patron: Scott, J.M.

Summary:

Establishes a joint subcommittee to study the affordability of higher education in Virginia. In conducting its study, the joint subcommittee shall (i) determine the number of first-time entering freshmen in Virginia public and private institutions for the 2008-2009 academic year; (ii) estimate the number of high school graduates from Virginia public and private schools over the next decade; (iii) project the demand for higher education at the undergraduate level in the Commonwealth over the next decade for public and private institutions of higher education; (iv) ascertain the State's role and responsibilities to make college affordable for Virginia citizens; (v) review and assess the revenue sources for funding higher education in the Commonwealth and determine the need for revisions and other revenue sources; (vi) review the recently reauthorized Higher Education Opportunity Act to determine the applicability of its provisions to reducing the costs of tuition in Virginia; (vii) review other states' pre-college savings plans, such as the Oklahoma Seed Program, for applicability and adaptability in Virginia; and (viii) consider appropriate ways and options to increase the awareness and preparation of students and their families for higher education opportunities. The joint subcommittee must report its findings and recommendations to the Governor and the 2010 Session of the General Assembly.

Status:

01/14/09 House: Prefiled and ordered printed; offered 01/14/09 094185720

01/14/09 House: Referred to Committee on Rules

02/10/09 House: Left in Rules

HJ709 **Constitutional amendment; assessments of real property and tax rates**
(first reference).

Chief Patron: Frederick

Summary:

Provides that assessments of real property shall not increase annually by more than one percent plus the percentage increase, if any, in the rate of inflation. Increases in the rate of taxation on real property are limited to one percent per year.

Status:

01/14/09 House: Prefiled and ordered printed; offered 01/14/09 098574508

01/14/09 House: Referred to Committee on Privileges and Elections

01/22/09 House: Assigned P & E sub: Constitutional

02/10/09 House: Left in Privileges and Elections

HJ710 **Constitutional amendment; spending limits on government (first**
reference).

Chief Patron: Frederick

Summary:

Provides for annual state and local government spending limits with surplus revenues returned to taxpayers.

Status:

01/14/09 House: Prefiled and ordered printed; offered 01/14/09 094510508

01/14/09 House: Referred to Committee on Privileges and Elections

01/22/09 House: Assigned P & E sub: Constitutional

02/10/09 House: Left in Privileges and Elections

HJ724 **Constitutional amendment; limits appropriations in fiscal year to**
preceding year's (1st reference).

Chief Patron: Gilbert

Summary:

Limits total appropriations in any fiscal year to the preceding year's total appropriations plus a percentage increase equal to the past two years' average increase in the rate of inflation plus the average percentage increase in population. The amendment provides that any revenues collected in excess of the limitation shall be distributed: 75 percent to be refunded to individual income taxpayers and 25 percent to the Revenue Stabilization Trust Fund. "Total appropriations" is defined to exclude moneys appropriated that are received from the federal government or an agency or unit thereof. If the amount in excess of the limitation is less than or equal to one percent of the limitation, the total excess shall be deposited to the Revenue Stabilization Fund if that Fund has not reached its constitutional limit, or if that Fund has reached its limit, the excess shall be appropriated to the general fund.

Status:

01/20/09 House: Referred from Rules

01/20/09 House: Referred to Committee on Privileges and Elections
01/21/09 House: Assigned P & E sub: Constitutional
02/02/09 House: Subcommittee recommends incorporating into HJ789 by voice vote
02/06/09 House: Incorporated by Privileges and Elections (HJ789-Loupassi)

HJ729 **Constitutional amendment; provides that English is official language of State.**

Chief Patron: Joannou

Summary:

Provides that English is the official language of Virginia.

Status:

01/14/09 House: Prefiled and ordered printed; offered 01/14/09 095515572
01/14/09 House: Referred to Committee on Privileges and Elections
01/22/09 House: Assigned P & E sub: Constitutional
02/10/09 House: Left in Privileges and Elections

HJ789 **Constitutional amendment; limits appropriations in fiscal year to preceding year's (1st reference).**

Chief Patron: Loupassi

Summary:

Limits total appropriations in a year to the preceding year's total appropriations plus a percentage equal to the sum of the percentage increase in the rate of inflation plus the rate of population increase. However, additional appropriations may be made (i) for tax relief, (ii) for deposits to the Revenue Stabilization Fund, or (iii) for nonrecurring capital projects. "Total appropriations" is defined so as not to include appropriated moneys that are received from the federal government or an agency or unit thereof.

Status:

02/10/09 House: Taken up
02/10/09 House: Committee substitute agreed to 095622606-H1
02/10/09 House: Engrossed by House - committee substitute HJ789H1
02/10/09 House: Agreed to by House (53-Y 44-N)
02/10/09 House: VOTE: --- ADOPTION (53-Y 44-N)

HJ790 **Inspector general, office of; joint subcommittee study need to establish to investigate fraud, etc.**

Chief Patron: Loupassi

Summary:

Establishes a joint subcommittee to study the need to establish an office of inspector general to investigate fraud, waste and unnecessary duplication in the administration of state government programs. Report.

Status:

01/23/09 House: Presented and ordered printed 091792606
01/26/09 House: Referred to Committee on Rules
02/10/09 House: Left in Rules

HJ824 Celebrating the life of John Ashley Blackburn.

Chief Patron: **Toscano**

Summary:

Celebrating the life of John Ashley Blackburn.

Status:

01/30/09 House: Introduced bill reprinted 096823752

02/06/09 House: Engrossed by House

02/06/09 House: Agreed to by House

02/09/09 Senate: Received

02/09/09 Senate: Laid on Clerk's Desk

HR39 ROTC program; higher educational institutions encouraged to support by providing academic credit.

Chief Patron: **Cox**

Summary:

Encourages the public institutions of higher education in the Commonwealth to fully support the Reserve Officers' Training Corps (ROTC) programs and provide the maximum recognition of ROTC courses for credits toward graduation.

Status:

01/19/09 House: Reported from Education (22-Y 0-N)

01/21/09 House: Taken up

01/21/09 House: Engrossed by House

01/21/09 House: Agreed to by House BLOCK VOTE (93-Y 0-N)

01/21/09 House: VOTE: BLOCK VOTE PASSAGE (93-Y 0-N)

SB843 Medical malpractice limit; raises total amount recoverable in certain.

Chief Patron: **Marsh**

Summary:

Raises the total amount recoverable in certain medical malpractice actions to \$2,750,000 on July 1, 2009. Such amount recoverable increases on July 1 each year by the annual percent change in the medical care component of the most recent publication of the Consumer Price Index for All Urban Consumers published by the United States Department of Labor, Bureau of Labor Statistics, or by any replacement index adopted by the Department of Labor for medical costs.

Status:

12/22/08 Senate: Prefiled and ordered printed; offered 01/14/09 091412264

12/22/08 Senate: Referred to Committee for Courts of Justice

01/13/09 Senate: Assigned Courts sub: Civil

02/09/09 Senate: Passed by indefinitely in Courts of Justice (15-Y 0-N)

SB873 Plastic bags; bans use by retailers at point of sale unless designed & manufactured for reuse.

Companion Bill: HB1814

Chief Patron: Ticer

Summary:

Bans the use of plastic carryout bags by retailers at the point of sale unless such bags are (i) durable plastic bags with handles; (ii) at least 2.25 mils thick; and (iii) specifically designed and manufactured for multiple reuse.

Status:

12/29/08 Senate: Prefiled and ordered printed; offered 01/14/09 098240336

12/29/08 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources

02/11/09 Senate: Left in Agriculture, Conservation and Natural Resources

SB885 Drug-related personal injury actions; extends two-year statute of limitations.

Chief Patron: McEachin

Summary:

Extends the two-year statute of limitations for personal injury actions in cases where the injury (i) is latent or by its nature not discoverable at the time of its occurrence and (ii) is the result of the ingestion of or exposure to a drug for a period of one year from the date the injury is discovered or reasonably should have been discovered.

Status:

12/31/08 Senate: Prefiled and ordered printed; offered 01/14/09 090261273

12/31/08 Senate: Referred to Committee for Courts of Justice

01/13/09 Senate: Assigned Courts sub: Civil

02/09/09 Senate: Passed by indefinitely in Courts of Justice (15-Y 0-N)

SB893 Submission of executive budget; personnel costs for state agencies.

Chief Patron: McDougle

Summary:

Requires the total amount appropriated for personnel costs for each agency to be included in the Budget Bill for each agency. The bill also provides that the amount appropriated to each agency for personnel costs shall only be used for personnel costs and that any appropriation set aside for personnel costs that remains undistributed at the end of any fiscal year shall revert to the general fund of the state treasury.

Status:

01/29/09 Senate: Committee amendment agreed to

01/29/09 Senate: Engrossed by Senate as amended SB893E

01/29/09 Senate: Printed as engrossed 092807272-E

01/30/09 Senate: Read third time and passed Senate (39-Y 0-N)

02/06/09 Senate: Impact statement from DPB (SB893E)

SB936 Enterprise Applications Program; searchable database website of state budget expenditures & revenue.

Companion Bill: HB2285

Chief Patron: Cuccinelli

Summary:

Provides for the Virginia Enterprise Applications Program (VEAP) within the Office of the Secretary of Technology to create and maintain a searchable database website containing information on state revenues, appropriations, and expenditures. Under the bill, the Director of VEAP shall develop a pilot searchable database website available for public use no later than July 1, 2010. Beginning in July 2011, the searchable database website shall be updated for (i) fiscal years that ended prior to July 1, 2009, and (ii) for future fiscal years not later than 60 days following the close of the fiscal year. The Director of VEAP, the Auditor of Public Accounts and the Joint Legislative Audit and Review Commission shall work together to coordinate efforts in obtaining, summarizing, and compiling information in order to avoid duplication of efforts. The website shall be made available in a format designed to encourage the greatest amount of use by the general public. The website shall provide access to all levels of budget spending in state government.

Status:

02/10/09 Senate: Reading of substitute waived

02/10/09 Senate: Committee substitute agreed to 092411332-S1

02/10/09 Senate: Engrossed by Senate - committee substitute SB936S1

02/10/09 Senate: Constitutional reading dispensed (40-Y 0-N)

02/10/09 Senate: Passed Senate (40-Y 0-N)

SB1007 Garnishment; parent who does not receive child support payments may hold exempt therefrom.

Companion Bill: HB1668

Chief Patron: Quayle

Summary:

Provides that a parent who supports a dependent child or children residing with him for whom he does not receive child support payments may hold exempt from garnishment an additional amount for the support of the child or children as follows: \$51 per week for one child; \$79 per week for two children; and \$99 per week for three children. The court may add additional sums as necessary for the support of additional dependent children for whom no child support payment is received. This additional exemption amount shall not be available to a parent whose household gross income exceeds \$4,000 per month.

Status:

01/13/09 Senate: Prefiled and ordered printed; offered 01/14/09 096566308

01/13/09 Senate: Referred to Committee for Courts of Justice

01/14/09 Senate: Assigned Courts sub: Civil

01/26/09 Senate: Stricken at the request of Patron in Courts of Justice (15-Y 0-N)

SB1056 Retirement System; retirees hired as nurses without interrupting their benefits.

Companion Bill: HB1684

Chief Patron: Whipple

Summary:

Provides that retired persons who are members of the Virginia Retirement System may be hired as nurses without interrupting their retirement benefits under the following conditions: (i) the person has been receiving such retirement allowance for a minimum period of time as jointly determined by VRS and the Joint Legislative Audit and Review Commission; (ii) the person has not retired pursuant to an early retirement incentive; and (iii) the person did not voluntarily resign or voluntarily retire under the Workforce Transition Act of 1995.

Status:

02/10/09 Senate: Committee amendment agreed to
02/10/09 Senate: Engrossed by Senate as amended SB1056E
02/10/09 Senate: Constitutional reading dispensed (40-Y 0-N)
02/10/09 Senate: Passed Senate (40-Y 0-N)
02/10/09 Senate: Printed as engrossed 092848352-E

SB1079 Emergency custody; authority of law-enforcement officer.

Companion Bill: HB2486

Chief Patron: Howell

Summary:

Authorizes a law-enforcement officer who is transporting a person who has voluntarily consented to being transported to a facility for assessment or evaluation and who subsequently revokes consent to be transported to take such person into emergency custody when the law-enforcement officer determines that consent has been revoked and the person meets the criteria for emergency custody, even if the law-enforcement officer is beyond the territorial limits of the jurisdiction in which he serves. This bill also clarifies that a law-enforcement officer who takes a person into emergency custody based upon his own observations or reliable reports of others may transport such person beyond the territorial boundaries of the jurisdiction in which he serves in order to obtain the required assessment.

Status:

02/09/09 Senate: Committee amendments agreed to
02/09/09 Senate: Engrossed by Senate as amended SB1079E
02/09/09 Senate: Printed as engrossed 093192248-E
02/09/09 Senate: Constitutional reading dispensed (40-Y 0-N)
02/09/09 Senate: Passed Senate (40-Y 0-N)

SB1083 Mental health law; amends statutes to address issues resulting from overhaul thereof.

Companion Bill: HB2060

Chief Patron: Howell

Summary:

Amends mental health statutes to address issues resulting from the overhaul of mental health laws during the 2008 Session. This bill clarifies requirements that law-enforcement initiated emergency custody remains subject to the four hour limit and two hour extension provisions; clarifies that the employee or designee of the community services board attending a commitment hearing need not be the person who prepared the

prescreening report, and that neither the employee or designee of the community services board attending a commitment hearing nor the independent examiner who attends the commitment hearing shall be excluded pursuant to an order of sequestration of the witnesses; clarifies that the prescreening report shall be admitted into evidence and made part of the record of the case; and extends the CCRE reporting requirement to close of business on the next business day following the hearing resulting in involuntary commitment. This bill has an emergency clause.

Status:

02/09/09 Senate: Committee amendments agreed to
02/09/09 Senate: Engrossed by Senate as amended SB1083E
02/09/09 Senate: Printed as engrossed 097825248-E
02/09/09 Senate: Constitutional reading dispensed (40-Y 0-N)
02/09/09 Senate: Passed Senate (40-Y 0-N)

SB1127 State energy efficiency program; require Division of Purchase and Supply to ensure 20% sustainable.

Chief Patron: Petersen

Summary:

Requires the Division of Purchase and Supply of the Department of General Services to ensure that, by 2020 and thereafter, 20 percent of the electricity purchased by or for the departments, agencies, or institutions of the Commonwealth is sustainable energy. Prior to that date, interim percentage requirements for purchases of sustainable energy are established. The measure requires any state agency that is authorized to undertake construction of a state-owned facility over 5,000 gross square feet in size or a renovation of a state-owned facility over 5,000 gross square feet in size where the value of the renovation exceeds 50 percent of the assessed building value to build to energy performance standards of the U.S. Green Building Council's Leadership in Energy and Environmental Design building rating system or equivalent energy performance standards that provide for the use of Virginia forest products, unless granted an exemption by the Director of the Department of General Services. Finally, the measure authorizes the Governor or his designee to permit any state agency to enter into a contract through the use of competitive negotiation, rather than through the requirements of the Commonwealth's public procurement laws, if it finds that the contract will improve the efficiency of the agency's use of electricity or natural gas or will result in net savings in the agency's expenditures on electricity or natural gas.

Status:

01/13/09 Senate: Prefiled and ordered printed; offered 01/14/09 090101293
01/13/09 Senate: Referred to Committee on General Laws and Technology
02/04/09 Senate: Left in General Laws and Technology (15-Y 0-N)

SB1154 Copies of medical bills and charges; no cost to patient up to three times every twelve months.

Chief Patron: McDougle

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:

02/04/09 Senate: Reading of amendments waived
02/04/09 Senate: Committee amendments agreed to
02/04/09 Senate: Engrossed by Senate as amended SB1154E
02/04/09 Senate: Printed as engrossed 091415272-E
02/05/09 Senate: Read third time and passed Senate (39-Y 0-N)

SB1156 Higher educational institutions, certain; management agreements with State.

Companion Bill: HB2464

Chief Patron: Edwards

Summary:

Provides that the 2006 management agreements in place between the Commonwealth and Virginia Polytechnic Institute and State University, the College of William and Mary, and the University of Virginia will expire on June 30, 2012. Also makes adjustments to the policies governing capital projects, procurement, and financial operations and management.

Status:

02/05/09 Senate: Reported from Education and Health (15-Y 0-N)
02/06/09 Senate: Constitutional reading dispensed (39-Y 0-N)
02/09/09 Senate: Read second time and engrossed
02/09/09 Senate: Constitutional reading dispensed (40-Y 0-N)
02/09/09 Senate: Passed Senate (40-Y 0-N)

SB1252 Green Public Buildings Act; certain new or renovated buildings to be built to certain standards.

Companion Bill: HB2387

Chief Patron: Petersen

Summary:

Requires public bodies entering the design phase for construction of a new building greater than 5,000 gross square feet in size, or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building, to build to either the Green Globes Green Building Initiative green building rating standard or the United States Green Building Council Leadership in Energy and Environment Design green building rating standard (LEED). Exemptions from the requirement may be granted by the Director of the Department of General Services for state construction projects or the governing body of a locality or school board for local projects.

Status:

02/09/09 Senate: Reading of substitute waived
02/09/09 Senate: Committee substitute agreed to 092412293-S1
02/09/09 Senate: Engrossed by Senate - committee substitute SB1252S1
02/09/09 Senate: Constitutional reading dispensed (40-Y 0-N)
02/09/09 Senate: Passed Senate (40-Y 0-N)

SB1314 Purchases of Services From People with Severe Disabilities, Committee on; established.

Chief Patron: Colgan

Summary:

Establishes the Committee on Purchases of Services from People with Severe Disabilities to encourage state agencies and political subdivisions of the Commonwealth to purchase services provided by persons with severe disabilities as a means of increasing employment opportunities. Under the bill, the Committee will establish and publish a procurement list consisting of services provided by qualified nonprofit entities for people with severe disabilities for procurement from state agencies and political subdivisions. The Committee will also establish fair market price of services that are contained on the procurement list.

Status:

02/09/09 Senate: Committee substitute agreed to 092424212-S1

02/09/09 Senate: Engrossed by Senate - committee substitute SB1314S1

02/09/09 Senate: Constitutional reading dispensed (40-Y 0-N)

02/09/09 Senate: Passed Senate (40-Y 0-N)

02/10/09 Senate: Impact statement from DPB (SB1314S1)

SB1318 Government Data Collection and Dissemination Practices Act; extends implementation.

Companion Bill: HB2426

Chief Patron: Houck

Summary:

Extends from July 1, 2009, to July 1, 2010, the implementation of the prohibition against collecting an individual's social security number unless collection of such number is (i) authorized or required by state or federal law and (ii) essential for the performance of that agency's duties. The bill contains several technical amendments, all to become effective July 1, 2010. This bill is a recommendation of the Freedom of Information Advisory Council.

Status:

02/04/09 Senate: Reported from General Laws and Technology (15-Y 0-N)

02/06/09 Senate: Constitutional reading dispensed (39-Y 0-N)

02/09/09 Senate: Read second time and engrossed

02/09/09 Senate: Constitutional reading dispensed (40-Y 0-N)

02/09/09 Senate: Passed Senate (40-Y 0-N)

SB1330 Personnel Act; willfully disclosing personal information prohibited by law, guilty of malfeasance.

Chief Patron: Cuccinelli

Summary:

Provides that any person who willfully and knowingly discloses personal information, the disclosure of which is prohibited by law shall be guilty of malfeasance in office or employment. Upon conviction thereof, the judge or jury trying the case, in addition to any other fine or penalty provided by law, may order the forfeiture of such office or employment. In addition, the bill provides that (i) a person aggrieved by a violation shall be entitled to

institute an action to recover actual damages or \$500, whichever is greater, for each violation and (ii) if the aggrieved party prevails, to be awarded reasonable attorney's fees and court costs. The bill specifies where court actions may be brought. The bill specifically provides that it applies to certain persons currently exempt from the provisions of the Virginia Personnel Act.

Status:

01/23/09 Senate: Impact statement from DPB (SB1330)

01/28/09 Senate: Reported from General Laws and Technology with amendment (14-Y 1-N)

01/28/09 Senate: Rereferred to Courts of Justice

02/03/09 Senate: Assigned Courts sub: Civil

02/09/09 Senate: Failed to report (defeated) in Courts of Justice (6-Y 8-N 1-A)

SB1351 Health insurance plan; insurance mandate for accident, etc. apply to plans for state employees.

Chief Patron: Wagner

Summary:

Provides that any law effective on or after July 1, 2009, that provides for an insurance mandate for policies of accident and health insurance shall also apply to health insurance plans for state employees. The measure also requires the Department of Human Resource Management to report to the Special Advisory Commission on Mandated Health Insurance Benefits on cost and utilization information for each of the mandated benefits.

Status:

02/05/09 Senate: Read second time

02/05/09 Senate: Reading of substitute waived

02/05/09 Senate: Committee substitute agreed to 090203340-S1

02/05/09 Senate: Engrossed by Senate - committee substitute SB1351S1

02/06/09 Senate: Read third time and passed Senate (39-Y 0-N)

SB1389 Medical malpractice; judgement in excess of \$2 million to be paid from Patient's Compensation Fund.

Chief Patron: Stolle

Summary:

Provides that on and after July 1, 2009, a health care provider's personal liability is limited to \$2 million for any injury to, or death of, a patient, and any amount due from a judgment or verdict in excess of \$2 million shall be paid from the Patient's Compensation Fund. The bill provides that the Fund is financed through fees levied upon health care providers and collected by the health regulatory boards. The assets of the fund shall be used solely to pay that portion of the amount due from a malpractice judgment, settlement, or verdict in excess of \$2 million and to administer the Patients' Compensation Program, which is governed by a board of directors whose appointments are prescribed in the bill and who manage and operate the Fund.

Status:

01/22/09 Senate: Reported from Education and Health (14-Y 0-N)

01/22/09 Senate: Rereferred to Courts of Justice

01/26/09 Senate: Impact statement from DPB (SB1389)

01/27/09 Senate: Assigned Courts sub: Civil

02/11/09 Senate: Left in Courts of Justice

SB1499 E-Verify program; state agencies, etc. to verify social security number of newly hired employees.

Chief Patron: Barker

Summary:

Requires state agencies and contractors with state agencies to verify the social security number of newly hired employees using the E-Verify Program. The bill defines "E-Verify Program" as an Internet-based system operated by the Department of Homeland Security in partnership with the Social Security Administration to determine the validity of social security numbers. Under the bill, the effective date of the provisions is contingent on the General Assembly and the Governor determining that the E-Verify Program is fully functional and properly funded.

Status:

01/23/09 Senate: Presented and ordered printed 098822201

01/23/09 Senate: Referred to Committee on General Laws and Technology

01/28/09 Senate: Failed to report (defeated) in General Laws and Technology (4-Y 9-N 2-A)

SB1531 Capital outlay plan; constitutes Governor's statutorily required proposal for projects.

Companion Bill: HB2660

Chief Patron: Colgan

Summary:

Constitutes the Governor's statutorily required proposal of a six- year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.

Status:

02/10/09 Senate: Committee amendments agreed to

02/10/09 Senate: Engrossed by Senate as amended SB1531E

02/10/09 Senate: Constitutional reading dispensed (40-Y 0-N)

02/10/09 Senate: Passed Senate (40-Y 0-N)

02/10/09 Senate: Printed as engrossed 091323212-E

SJ280 Governor; confirming appointments.

Chief Patron: Howell

Summary:

Confirms appointments made by Governor Kaine of certain persons and communicated to the General Assembly August 1, 2008.

Status:

01/28/09 House: Placed on Calendar

01/28/09 House: Referred to Committee on Privileges and Elections

01/29/09 House: Assigned P & E sub: Appointments

02/03/09 House: Subcommittee recommends reporting

02/10/09 House: Reported from Privileges and Elections (22-Y 0-N)

SJ290 **Constitutional amendment; establishes limitations on takings of private property.**

Chief Patron: **Obenshain**

Summary:

Establishes limitations on takings of private property. Except for property taken for public service companies or railroads, property may not be taken if the primary purpose of the taking is private financial gain, private benefit, an increase in tax base or tax revenues, or an increase in employment. No more property shall be taken than is necessary to achieve the stated public use.

Status:

12/23/08 Senate: Prefiled and ordered printed; offered 01/14/09 098384288

12/23/08 Senate: Referred to Committee on Privileges and Elections

02/03/09 Senate: Passed by indefinitely in Privileges and Elections (8-Y 7-N)