

Legislative Report  
University of Virginia -- Office of State Governmental Relations  
February 16, 2006

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## **HB15 Severance benefits for state employees.**

**Chief Patron:** L. Scott Lingamfelter

**Summary:**

Severance benefits for state employees. Restricts severance benefits for state employees to those specifically authorized by the General Assembly.

**Status:**

02/14/06 House: Read third time and passed House BLOCK VOTE (100-Y 0-N)

02/14/06 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

02/14/06 House: Communicated to Senate

02/15/06 Senate: Constitutional reading dispensed

02/15/06 Senate: Referred to Committee on General Laws and Technology

## **HB57 Higher education; articulation agreements and transferable credits**

**Chief Patron:** William H. Fralin, Jr.

**Summary:**

Higher education; articulation agreements and transferable credits. Requires that if a student declares an intention to transfer credit from an institution within the Virginia Community College System to a four-year public institution, the articulation agreement in force at the time of the student's declaration will determine those credits that may be transferred.

**Status:**

01/26/06 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

01/26/06 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

01/26/06 House: Communicated to Senate

01/27/06 Senate: Constitutional reading dispensed

01/27/06 Senate: Referred to Committee on Education and Health

## **HB59 Health insurance credits for retired state employees.**

**Chief Patron:** Lacey E. Putney

**Summary:**

Health insurance credits for retired state employees. Increases the monthly health insurance credits provided to retired state employees from \$4 per year of creditable service to \$6 per year of creditable service, and removes the maximum monthly cap of \$120.

**Status:**

02/14/06 House: Read third time and passed House BLOCK VOTE (100-Y 0-N)

02/14/06 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

02/14/06 House: Communicated to Senate

02/15/06 Senate: Constitutional reading dispensed

02/15/06 Senate: Referred to Committee on Finance

## **HB89 Virginia Retirement System; benefits.**

**Chief Patron:** Vincent F. Callahan, Jr.

**Summary:**

Virginia Retirement System; benefits. Increases monthly retirement benefits of certain future retirees by increasing the percentage of average final compensation multiplied by the amount of creditable service from 1.7 to 2.0 for years of service in excess of 25 years for most state employees, and from 2.0 to 2.3 for certain state law-enforcement officers.

**Status:**

12/16/05 House: Prefiled and ordered printed; offered 01/11/06 065136260  
12/16/05 House: Referred to Committee on Appropriations  
01/27/06 House: Assigned App. sub: Compensation and Retirement (Putney)  
02/15/06 House: Left in Appropriations

**HB101 Constitutional amendment (voter referendum); marriage.**

**Companion Bill:** SB526

**Chief Patron:** John A. Cosgrove

**Summary:**

Constitutional amendment (voter referendum); marriage. Provides for a referendum at the November 2006 election on approval of a proposed constitutional amendment to define marriage. The proposed amendment provides that "only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions." The proposed amendment also prohibits the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage." Further, the proposed amendment prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage."

**Status:**

01/16/06 House: Communicated to Senate  
01/17/06 Senate: Constitutional reading dispensed  
01/17/06 Senate: Referred to Committee on Privileges and Elections  
02/15/06 Senate: Reported from Privileges and Elections with amendment (15-Y 0-N)  
02/16/06 Senate: Constitutional reading dispensed (40-Y 0-N)

**HB108 Automatic reduction in general fund appropriations by Governor.**

**Chief Patron:** Harry R. Purkey

**Summary:**

Automatic reduction in general fund appropriations by Governor. Requires the Governor, whenever general fund revenue collections for a period of six months or more show that year-to-date revenue growth is in excess of 1% below the official estimate upon which the appropriation act is based for such fiscal year, to institute an across-the-board percentage reduction in general fund appropriations to all executive branch agencies, which shall equal at least one-half of the revenue shortfall. Such action shall be communicated to the chairmen of the money committees within five days of its adoption.

**Status:**

12/22/05 House: Prefiled and ordered printed; offered 01/11/06 063676472

12/22/05 House: Referred to Committee on Appropriations  
02/15/06 House: Left in Appropriations

### **HB122 Public procurement; SWAM businesses.**

**Chief Patron: Robert G. Marshall**

**Summary:**

Public procurement; SWAM businesses. Requires that each public body's program to facilitate the participation of small, women- and minority-owned (SWAM) businesses in procurement transactions include a goal that 40% of the public body's procurement expenditures be for transactions with SWAM businesses. To count toward meeting this goal, the SWAM business must be certified by the Department of Minority Business Enterprise. Public bodies are required to file annual reports detailing efforts to meet the goal of 40% SWAM business procurement.

**Status:**

02/14/06 House: Read third time and passed House (99-Y 0-N 1-A)  
02/14/06 House: VOTE: PASSAGE (99-Y 0-N 1-A)  
02/14/06 House: Communicated to Senate  
02/15/06 Senate: Constitutional reading dispensed  
02/15/06 Senate: Referred to Committee on General Laws and Technology

### **HB154 Campus police; certain reports required; participation and cooperation in investigations**

**Chief Patron: Kenneth C. Alexander**

**Summary:**

Campus police; certain reports required; participation and cooperation in investigations. Requires, regardless of whether a public or private institution of higher education has entered into a mutual aid agreement to maintain peace and good order with the governing bodies of localities pursuant to 15.2-1727, the campus police chief or other chief law enforcement officer of such institution of higher education or his designee to immediately notify the primary local law-enforcement agency of the jurisdiction in which the institution is located of (i) the death of any person on the property of the institution when such person is medically unattended and (ii) any report alleging a rape has occurred on the property of the institution. Campus police and all other employees of such institution of higher education must participate in any subsequent investigation and cooperate with the-law enforcement agency leading the investigation.

**Status:**

12/28/05 House: Referred to Committee on Education  
01/18/06 House: Assigned to Education sub-committee: Higher Education (Rust)  
01/23/06 House: Referred from Education  
01/23/06 House: Referred to Committee on Militia, Police and Public Safety  
01/27/06 House: Incorporated by Militia, Police and Public Safety (HB1036-Hamilton)

### **HB162 Firearms in locked vehicles; immunity from liability; civil penalty.**

**Chief Patron: L. Scott Lingamfelter**

**Summary:**

tenant, employer, or business entity from establishing, maintaining, or enforcing any policy or rule that would prohibit a person from storing a lawfully possessed firearm in a locked vehicle. No person, property owner, tenant, employer, or business entity would be liable for any occurrence connected with use of a firearm that had been stored in a locked vehicle pursuant to the section. The bill also allows a person to file for injunction to enforce the provisions of the section, and provides for actual damages and attorney fees for a prevailing plaintiff.

***Status:***

02/08/06 House: Read third time and passed House (74-Y 22-N)

02/08/06 House: VOTE: PASSAGE (74-Y 22-N)

02/08/06 House: Communicated to Senate

02/09/06 Senate: Constitutional reading dispensed

02/09/06 Senate: Referred to Committee for Courts of Justice

**HB173 Notification to parents of certain health services to minors.**

***Chief Patron:*** L. Scott Lingamfelter

***Summary:***

Notification to parents of certain health services to minors. Requires any state or local government agency employee who provides services to a minor relating to sexually transmitted diseases, the provision of emergency contraception, pregnancy, illegal drug use, or the contemplation of suicide to attempt notification, within two business days of delivery of such services, to a custodial parent, legal guardian, or other person standing in loco parentis of any service and any reason, condition, or diagnosis requiring such service.

***Status:***

12/29/05 House: Prefiled and ordered printed; offered 01/11/06 066068380

12/29/05 House: Referred to Committee on Health, Welfare and Institutions

01/24/06 House: Failed to report (defeated) in Health, Welfare and Institutions

**HB183 Condemnation; offer to repurchase.**

***Chief Patron:*** Robert G. Marshall

***Summary:***

Condemnation; offer to repurchase. Provides that if a condemnor has acquired a fee simple interest in property by exercise of its power of eminent domain and subsequently fails to use the property for the declared public use for which it was condemned within three years of being vested with the title to such property, the condemnor shall offer, within 30 days following such determination, to sell such property to the former owner. The offer to sell shall be made by the condemnor at the price paid by the condemnor to the former owner plus interest at the annual rate of six percent; provided that the condemnor may increase the price by the fair market value of the condemnor's improvements, determined at the time the offer to sell is made. If a condemnor has acquired a fee simple interest in property by exercise of its power of eminent domain and subsequently fails to use the property for the declared public use for which it was condemned within 15 years of being vested with the title to such property, the condemnor shall offer, within 30 days following such determination, to sell such property to the former owner. The offer to sell shall be made by the condemnor at the fair market value of the property and improvements at the time of the offer.

***Status:***

12/30/05 House: Referred to Committee for Courts of Justice  
01/18/06 House: Assigned to Courts of Justice sub-committee: Civil Law ...  
02/03/06 House: Referred from Courts of Justice  
02/03/06 House: Referred to Committee on General Laws  
02/09/06 House: Continued to 2007 in General Laws

**HB185 Public Procurement Act; prohibited contracts; required contract provisions.**

***Chief Patron:*** Robert G. Marshall

***Summary:***

Public Procurement Act; prohibited contracts; required contract provisions. Provides that no public body shall enter into any contract for services unless the contract provides that only citizens of the United States, legal resident aliens, and individuals with a valid visa will perform the services under the contract or any subcontract of that contract. The bill further requires all public bodies to include in every contract for goods or services the following provisions: During the performance of this contract, the contractor agrees to (i) post in conspicuous places, available to employees and applicants for employment, a statement notifying such persons that only citizens of the United States, legal resident aliens, and individuals with a valid visa will be hired to perform the services under the contract or any subcontract of such contract; (ii) state in all solicitations or advertisements for employees placed by or on behalf of the contractor that the contractor will hire only citizens of the United States, legal resident aliens, and individuals with a valid visa to perform the services under the contract or any subcontract of such contract; and (iii) include the provisions of the foregoing clauses in every subcontract or purchase order, so that the provisions will be binding upon each subcontractor or vendor.

***Status:***

01/02/06 House: Prefiled and ordered printed; offered 01/11/06 064860396  
01/02/06 House: Referred to Committee on General Laws  
01/18/06 House: Assigned to General Laws sub-committee: #2 FOIA/Procurement (Marshall, D.)  
02/15/06 House: Left in General Laws

**HB187 Prohibition on the provision of certain intervening medical technology to unmarried women.**

***Chief Patron:*** Robert G. Marshall

***Summary:***

Prohibition on the provision of certain intervening medical technology to unmarried women. No individual licensed by a health regulatory board shall assist with or perform any intervening medical technology, whether in vivo or in vitro, for or on an unmarried woman that completely or partially replaces sexual intercourse as the means of conception, including, but not limited to, artificial insemination by donor, cryopreservation of gametes and embryos, invitro fertilization, embryo transfer, gamete intrafallopian tube transfer, and low tubal ovum transfer.

***Status:***

01/02/06 House: Prefiled and ordered printed; offered 01/11/06 066044396  
01/02/06 House: Referred to Committee on Health, Welfare and Institutions  
01/17/06 House: Passed by indefinitely in Health, Welfare and Institutions

## **HB189 Licensure of abortion clinics.**

**Chief Patron: Robert G. Marshall**

### ***Summary:***

Licensure of abortion clinics. Requires all abortion clinics, defined as any facility, other than a hospital or an ambulatory surgery center, in which 25 or more first trimester abortions are performed in any 12-month period, to be licensed and to comply with the requirements currently in place for ambulatory surgery centers.

### ***Status:***

02/09/06 House: VOTE: PASSAGE (66-Y 33-N)  
02/09/06 House: Reconsideration of passage rejected by House  
02/09/06 House: Communicated to Senate  
02/10/06 Senate: Constitutional reading dispensed  
02/10/06 Senate: Referred to Committee on Education and Health

## **HB220 Public Procurement Act; consolidation of contracts.**

**Chief Patron: Dwight Clinton Jones**

### ***Summary:***

Public Procurement Act; consolidation of contracts. Provides that to the maximum extent practicable, public bodies shall facilitate the maximum participation of small business concerns as prime contractors, subcontractors, and suppliers. Before proceeding with a procurement of goods, services, or construction that could lead to a contract containing consolidated procurement requirements (also known as contract bundling), a public body shall conduct market research to determine whether consolidation of the requirements is necessary and justified. For the purposes of the bill, consolidation of the requirements may be determined as being necessary and justified if, as compared to the benefits that would be derived from contracting to meet those requirements if not consolidated, the public body would derive from the consolidation measurably substantial benefits, including, but not limited to: cost savings, quality improvement, reduction in acquisition cycle times, better terms and conditions, and any other benefit.

### ***Status:***

01/03/06 House: Prefiled and ordered printed; offered 01/11/06 066675364  
01/03/06 House: Referred to Committee on General Laws  
01/18/06 House: Assigned to General Laws sub-committee: #2 FOIA/Procure...  
02/15/06 House: Left in General Laws

## **HB237 Certain requirements for physicians performing abortions.**

**Chief Patron: Robert G. Marshall**

### ***Summary:***

Certain requirements for physicians performing abortions. Requires any physician performing abortions in the Commonwealth to reside and practice in Virginia and have practice privileges in a Virginia hospital. The Board of Medicine must monitor and verify that each such physician is a resident of and practices in Virginia and has practice privileges in a Virginia hospital.

***Status:***

01/03/06 House: Prefiled and ordered printed; offered 01/11/06 062008396  
01/03/06 House: Referred to Committee on Health, Welfare and Institutions  
01/17/06 House: Passed by indefinitely in Health, Welfare and Institutions

**HB262 Admission of illegal aliens to public institutions of higher education.**

***Chief Patron:*** Frank D. Hargrove, Sr.

***Summary:***

Admission of illegal aliens to public institutions of higher education. 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:***

02/02/06 House: Read third time and passed House (67-Y 33-N)  
02/02/06 House: VOTE: PASSAGE (67-Y 33-N)  
02/02/06 House: Communicated to Senate  
02/03/06 Senate: Constitutional reading dispensed  
02/03/06 Senate: Referred to Committee on Education and Health

**HB272 Geographical equity in admission to institutions of higher education; pilot program.**

***Chief Patron:*** David E. Poisson

***Summary:***

Geographical equity in admission to institutions of higher education; pilot program. Directs the State Council of Higher Education for Virginia to develop and implement a pilot program for the purpose of providing geographical equity in the admission of Virginia domiciles to the public institutions of higher education in the Commonwealth. The Council must determine which areas of the Commonwealth routinely experience disproportionately low acceptance rates at Virginia's public institutions of higher education by calculating the percentage of applicants in each locality that are accepted and enrolled at Virginia's public colleges and universities and comparing such percentages with the aggregate percentages of Virginia domiciles that are accepted and enrolled in Virginia's public colleges and universities. Any academically qualified student residing in an area experiencing a disproportionately low acceptance rate who is a domicile of Virginia and is denied admission to a public institution of higher education in Virginia shall be admitted and enrolled in such institution for the following academic year if such student completes, within one month prior to the commencement of the academic year immediately following the academic year for which he was denied admission, at least 20 hours of community service per week for a period of 30 weeks. The Council shall determine the types of community service that will meet this requirement and make available a list of such community service opportunities. The provisions of this act shall expire on July 1, 2009.

***Status:***

01/04/06 House: Prefiled and ordered printed; offered 01/11/06 060262466  
01/04/06 House: Referred to Committee on Education  
01/18/06 House: Assigned to Education sub-committee: Higher Education (Rust)  
02/15/06 House: Left in Education

## **HB275 Teacher education.**

**Chief Patron:** David E. Poisson

### ***Summary:***

Teacher education. Requires that all persons seeking licensure as a teacher obtain a degree in any branch of liberal arts, science, mathematics, social studies, or other specific subject area, but not a degree in pedagogy. The measure also establishes a teacher internship program in lieu of student teacher or clinical faculty programs that are currently administered by institutions of higher education in cooperation with public elementary and secondary schools. The Board of Education must develop and implement the teacher internship program to provide all graduates of an accredited degree-granting institution seeking licensure in Virginia with training in a classroom under the supervision of an experienced teacher. All graduates of a degree-granting institution seeking licensure in Virginia must complete a one-year paid internship at a public elementary or secondary school in the Commonwealth. At the completion of the internship, the principal of the school in which the internship was completed, in consultation with the intern's supervising teacher, must evaluate the intern's performance during the internship and determine whether the intern shall be certified for licensure by the Department of Education. Upon certification by a principal to the Department that an intern has successfully completed the internship program, the Board shall issue the intern a license if he has satisfied all other requirements for licensure by the Board.

### ***Status:***

01/04/06 House: Prefiled and ordered printed; offered 01/11/06 060276466

01/04/06 House: Referred to Committee on Education

01/18/06 House: Assigned to Education sub-committee: Teachers and Administrative Action (Rapp)

02/15/06 House: Left in Education

## **HB305 Higher education; Office of Learning Technology.**

**Chief Patron:** Thomas Davis Rust

### ***Summary:***

Higher education; Office of Learning Technology. Creates the Office of Learning Technology within the State Council of Higher Education to facilitate and coordinate the voluntary participation of public and private institutions of higher education in the Commonwealth in technology-enriched initiatives.

### ***Status:***

02/14/06 House: Read third time and passed House BLOCK VOTE (100-Y 0-N)

02/14/06 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)

02/14/06 House: Communicated to Senate

02/15/06 Senate: Constitutional reading dispensed

02/15/06 Senate: Referred to Committee on Education and Health

## **HB311 Health insurance for certain state employees; TRICARE Military Health System.**

**Chief Patron:** M. Kirkland Cox

### ***Summary:***

Health insurance for certain state employees; TRICARE Military Health System. Authorizes the Department of Human Resource Management to offer a voluntary supplemental health coverage

program for state employees who have primary coverage under the TRICARE Military Health System.

***Status:***

02/01/06 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)  
02/01/06 House: Communicated to Senate  
02/02/06 Senate: Constitutional reading dispensed  
02/02/06 Senate: Referred to Committee on General Laws and Technology  
02/15/06 Senate: Reported from General Laws and Technology (15-Y 0-N)

**HB346 Restructured Higher Education Financial and Administrative Operations Act; campus security.**

**Chief Patron: Phillip A. Hamilton**

***Summary:***

Restructured Higher Education Financial and Administrative Operations Act; campus security. Adds campus safety and security to the several state goals that public institutions of higher education participating in the Restructured Higher Education Financial and Administrative Operation Act must commit to the Governor and General Assembly to meet.

***Status:***

01/26/06 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)  
01/26/06 House: Communicated to Senate  
01/27/06 Senate: Constitutional reading dispensed  
01/27/06 Senate: Referred to Committee on Education and Health  
02/16/06 Senate: Reported from Education and Health (15-Y 0-N)

**HB374 Constitutional amendment (voter referendum); marriage.**

**Chief Patron: Robert G. Marshall**

***Summary:***

Constitutional amendment (voter referendum); marriage. Provides for a referendum at the November 2006 election on approval of a proposed constitutional amendment to define marriage. The proposed amendment provides that "only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions." The proposed amendment also prohibits the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage." Further, the proposed amendment prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage."

***Status:***

01/06/06 House: Prefiled and ordered printed; offered 01/11/06 063185396  
01/06/06 House: Referred to Committee on Privileges and Elections  
01/11/06 House: Incorporated by Privileges and Elections (HB101-Cosgrove)

**HB412 Identification of gamete donors.**

**Chief Patron: Robert G. Marshall**

**Summary:**

Identification of gamete donors. Prohibits the use of unrelated anonymous donor oocyte or sperm in the performance of intervening medical technology that completely or partially replaces sexual intercourse as a means of conception and requires, notwithstanding any traditional practice, agreement, regulation, or law to the contrary, the identity of any unrelated oocyte or sperm donor to be noted in the health record of any woman patient whenever any healthcare practitioner licensed by a health regulatory board uses any unrelated donor gametes in the performance of or while assisting in the performance of such intervening medical technology, such as artificial insemination by donor, cryopreservation of gametes and embryos, in vitro fertilization, embryo transfer, gamete intrafallopian tube transfer, and low tubal ovum transfer.

**Status:**

01/06/06 House: Prefiled and ordered printed; offered 01/11/06 066043396  
01/06/06 House: Referred to Committee on Health, Welfare and Institutions  
01/24/06 House: Continued to 2007 in Health, Welfare and Institutions

**HB431 Virginia Retirement System; benefits.&nbsp;nbsp;**

**Chief Patron: H. Morgan Griffith**

**Summary:**

Virginia Retirement System; benefits. Increases monthly retirement benefits of future retirees by increasing the percentage of average final compensation multiplied by the amount of creditable service according to the years of service as follows:

**Status:**

01/06/06 House: Prefiled and ordered printed; offered 01/11/06 064290308  
01/06/06 House: Referred to Committee on Appropriations  
01/27/06 House: Assigned App. sub: Compensation and Retirement (Putney)  
02/15/06 House: Left in Appropriations

**HB457 State and Local Conflicts of Interest Act; exemption for faculty papers.**

**Chief Patron: Thomas Davis Rust**

**Summary:**

State and Local Conflicts of Interest Act; exemption for faculty papers. Provides that an employee's personal interest in a contract with his or her employing public institution of higher education to acquire the collections or scholarly works owned by the employee, including manuscripts, musical scores, poetry, paintings, books or other materials, writings or papers of an academic, research, or cultural value to the institution, provided the president of the institution approves the acquisition of such collections or scholarly works as being in the best interests of the institution's public mission of service, research, or education is not a prohibited contract under the State and Local Conflicts of Interest Act. The bill also contains technical amendments.

**Status:**

02/14/06 House: Read third time and passed House BLOCK VOTE (100-Y 0-N)  
02/14/06 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)  
02/14/06 House: Communicated to Senate

02/15/06 Senate: Constitutional reading dispensed

02/15/06 Senate: Referred to Committee on General Laws and Technology

### **HB508 Virginia Retirement System; state employees.**

**Chief Patron:** Ward L. Armstrong

**Summary:**

Virginia Retirement System; state employees. Prohibits reduction in the net retirement benefit paid to any current or future retired state employee by any increase in health insurance premiums unless such increase results from the selection of expanded coverage by the retiree.

**Status:**

01/09/06 House: Prefiled and ordered printed; offered 01/11/06 064225216

01/09/06 House: Referred to Committee on Appropriations

01/27/06 House: Assigned App. sub: Compensation and Retirement (Putney)

02/15/06 House: Left in Appropriations

### **HB570 Technology protection measures; public libraries.**

**Chief Patron:** Samuel A. Nixon, Jr.

**Summary:**

Technology protection measures; public libraries. Requires the library board or governing body of a library that receives state funding for any purpose to include in its acceptable use policy for the Internet provisions on selecting and installing on those computers that have Internet access a technology protection measure to filter or block Internet access through such computers to child pornography as set out in 18.2-374.1:1, obscenity as defined in 18.2-372 and, with respect to minors, materials deemed harmful to juveniles as defined in 18.2-390. The bill also requires the policy to include a provision for disabling the technology protection measure at the request of a patron in instances of bona fide research or other lawful purposes.

**Status:**

02/14/06 House: Read third time and passed House (92-Y 8-N)

02/14/06 House: VOTE: PASSAGE (92-Y 8-N)

02/14/06 House: Communicated to Senate

02/15/06 Senate: Constitutional reading dispensed

02/15/06 Senate: Referred to Committee on General Laws and Technology

### **HB618 Dialysis patient care technician; definition**

**Chief Patron:** John M. O'Bannon, III

**Summary:**

Dialysis patient care technician; definition. Authorizes a person who has completed a training program in dialysis patient care to practice provisionally, under direct and immediate supervision of a licensed registered nurse, in order to obtain practical experience. The bill provides authorization for up to 24 months, or until such person has taken and received the results of any examination required by a certifying organization approved by the Board, whichever occurs sooner. The bill contains an emergency clause.

***Status:***

01/27/06 House: VOTE: BLOCK VOTE PASSAGE (96-Y 0-N)  
01/27/06 House: Communicated to Senate  
01/30/06 Senate: Constitutional reading dispensed  
01/30/06 Senate: Referred to Committee on Education and Health  
02/16/06 Senate: Reported from Education and Health (15-Y 0-N)

**HB624 Health insurance; mandated coverage for treatment of morbid obesity.**

***Chief Patron:*** John M. O'Bannon, III

***Summary:***

Health insurance; mandated coverage for treatment of morbid obesity. Requires health insurers, health maintenance organizations, and corporations providing healthcare coverage subscription contracts, to provide coverage for the treatment of morbid obesity through recognized surgical procedures designed to produce weight loss in patients with morbid obesity if performed at a Bariatric Surgery Center of Excellence. Currently, these entities are required to offer and make available coverage for treatment of morbid obesity.

***Status:***

01/10/06 House: Prefiled and ordered printed; offered 01/11/06 062701440  
01/10/06 House: Referred to Committee on Commerce and Labor  
01/26/06 House: Tabled in Commerce and Labor (14-Y 7-N)

**HB637 Health records; destruction.**

***Chief Patron:*** Clarence E. Phillips

***Summary:***

Health records; destruction. Requires facilities holding health records to notify individuals and allow them to obtain their records before such records are destroyed. This bill also makes technical corrections to outdated references in the Code.

***Status:***

01/10/06 House: Prefiled and ordered printed; offered 01/11/06 064204460  
01/10/06 House: Referred to Committee on Health, Welfare and Institutions  
01/31/06 House: Passed by indefinitely in Health, Welfare and Institutions

**HB734 Community College Transfer Grant program.**

***Chief Patron:*** S. Chris Jones

***Summary:***

Community College Transfer Grant program. Establishes the Community College Transfer Grant program, to be administered by the State Council of Higher Education for Virginia, for the purpose of providing need-based higher education grants to domiciles of Virginia who have successfully completed an acceptable associate degree program at a Virginia community college and have been admitted to an accredited nonprofit public or private institution of higher education in the Commonwealth. To be eligible to receive a grant under this program, students must be Virginia domiciles and must have maintained a cumulative grade point average of 2.5 or higher while enrolled in an associate degree program at a Virginia community college. Students may receive grants for up to

two academic years.

***Status:***

01/10/06 House: Prefiled and ordered printed; offered 01/11/06 060272366

01/10/06 House: Referred to Committee on Education

01/30/06 House: Incorporated by Education (HB1136-Cline)

**HB751 Computer fraud; penalty.**

***Chief Patron:*** Mamye E. BaCote

***Summary:***

Computer fraud; penalty. Removes the requirement that a person be without authority to be guilty of computer fraud.

***Status:***

01/10/06 House: Prefiled and ordered printed; offered 01/11/06 062340222

01/10/06 House: Referred to Committee for Courts of Justice

01/18/06 House: Assigned to Courts of Justice sub-committee: Criminal L...

02/15/06 House: Left in Courts of Justice

**HB768 Health care providers; use of reprocessed single-use medical devices; civil penalty.**

***Chief Patron:*** Mark D. Sickles

***Summary:***

Health care providers; use of reprocessed single-use medical devices; civil penalty. Prescribes requirements for the use of reprocessed single-use medical devices, other than needles and syringes, by health care providers. The requirements include notice to patients and the patient's ability to refuse the use of reprocessed single-use devices, liability for the safety and effectiveness of such devices, and remedies in the event of a violation of the section. Health care providers include institutions licensed under Title 32.1 as well as individuals licensed under Title 54.1 of the Code of Virginia.

***Status:***

01/10/06 House: Prefiled and ordered printed; offered 01/11/06 066141510

01/10/06 House: Referred to Committee on Health, Welfare and Institutions

01/31/06 House: Continued to 2007 in Health, Welfare and Institutions

**HB831 Three-part medical assistance program.**

***Chief Patron:*** John J. Welch, III

***Summary:***

Three-part medical assistance program. Requires the Board of Medical Assistance Services to revise the state plan for medical assistance in all ways necessary to implement a three-part medical assistance services program in the Commonwealth that is structured to include (i) the present Virginia Medical Assistance Program, revised to require all recipients be enrolled in managed care, (ii) the present Family Access to Medical Insurance Security Plan (FAMIS), also revised to require all eligible individuals to be enrolled in managed care, and (iii), upon obtaining approval of the necessary waiver, the implementation of enhanced benefits accounts (health care savings accounts), using electronic funds transfer technology and electronic benefits cards, that provide incentives to recipients to manage

their health care through access to funds that are deposited into their accounts for purchasing private health insurance or for the purchase of other health care items or services, as set forth in the revised state plan for medical assistance.

***Status:***

02/03/06 House: VOTE: PASSAGE (97-Y 0-N)  
02/03/06 House: Communicated to Senate  
02/06/06 Senate: Constitutional reading dispensed  
02/06/06 Senate: Referred to Committee on Education and Health  
02/16/06 Senate: Reported from Education and Health (15-Y 0-N)

**HB837 Virginia Budget Office.**

***Chief Patron:*** Jeffrey M. Frederick

***Summary:***

Virginia Budget Office. Establishes in the legislative branch a Virginia Budget Office.

***Status:***

01/10/06 House: Prefiled and ordered printed; offered 01/11/06 063566303  
01/10/06 House: Referred to Committee on Rules  
02/01/06 House: Tabled in Rules

**HB851 Hospital standing orders or protocols for certain vaccinations.**

***Chief Patron:*** John M. O'Bannon, III

***Summary:***

Hospital standing orders or protocols for certain vaccinations. Authorizes hospitals to provide or arrange for the administration of influenza and pneumococcal vaccinations to their patients when standing orders or protocols for the immunizations have been approved by a member or committee of the hospital's medical staff. The standing order or protocol will waive the requirement for specific written physician orders for influenza and pneumococcal immunizations; however, the standing order or protocol will not supersede a physician's authority to issue specific written orders relating to immunizations. The standing order or protocol for administration of the vaccines must be in accordance with the most recent recommendations of the Advisory Committee on Immunization Practices (ACIP) of the Centers for Disease Control and Prevention; medical contraindications must be ascertained; the patient's wishes and any religious objections must be determined; and informed consent must be obtained from the patient or his legal representative. The vaccinations must be documented in the patient's health record. Approval of a standing order or protocol for the administration of the vaccines will be deemed to satisfy the requirement for a bona fide practitioner-patient relationship.

***Status:***

01/27/06 House: VOTE: PASSAGE (95-Y 0-N 1-A)  
01/27/06 House: Communicated to Senate  
01/30/06 Senate: Constitutional reading dispensed  
01/30/06 Senate: Referred to Committee on Education and Health  
02/16/06 Senate: Reported from Education and Health (15-Y 0-N)

**HB853 Health records privacy.**

**Chief Patron:** John M. O'Bannon, III

**Summary:**

Health records privacy. Clarifies that, pursuant to the patient privacy regulations promulgated under the federal Health Insurance Portability and Accountability Act (HIPAA), a minor is deemed to be an adult for the purpose of access to and disclosure of his health records when he has been deemed to be an adult for the purpose of consenting to the relevant medical or health services or surgical or medical treatment in state law. The bill also clarifies that health records may be disclosed by health care entities in connection with the health care entity's own health care operations, as specified in federal regulation (45 C.F.R. 164.501), or in the normal course of business.

**Status:**

01/31/06 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

01/31/06 House: Communicated to Senate

02/01/06 Senate: Constitutional reading dispensed

02/01/06 Senate: Referred to Committee on Education and Health

02/16/06 Senate: Reported from Education and Health (15-Y 0-N)

**HB857 Department of General Services; Green Buildings Act.**

**Chief Patron:** Adam P. Ebbin

**Summary:**

Department of General Services; Green Buildings Act. Requires all major facility projects of state agencies and other entities for which the project is funded with state money to be designed, constructed, and certified to meet the LEED silver standard as established by the United States Green Building Council Leadership in Energy and Environment Design. The bill defines "major facility project" as a building construction project with more than 5,000 gross square feet of occupied or conditioned space, or a building renovation project when the cost is greater than 50% of the assessed value and the project with more than 5,000 gross square feet of occupied or conditioned space. Under the bill, a major facility project may not be required to meet the standard if (i) there is no appropriate LEED silver standard for that type of building or renovation project, (ii) there is no practical way to apply the LEED silver standard to a particular building or renovation project, or (iii) the building or renovation project is an electricity transmitter building, a water pumping station, or a hospital.

**Status:**

01/10/06 House: Prefiled and ordered printed; offered 01/11/06 065675300

01/10/06 House: Referred to Committee on General Laws

01/23/06 House: Assigned to General Laws sub-committee: #2 FOIA/Procurement (Marshall, D.)

02/09/06 House: Continued to 2007 in General Laws

**HB868 Morning-after pill; parental consent for minors required; penalty.**

**Chief Patron:** Kathy J. Byron

**Summary:**

Morning-after pill; parental consent for minors required; penalty. The bill requires a prescriber to obtain parental consent prior to prescribing Plan B, or any other form of the morning-after pill, to an unemancipated minor. Prescribing without consent is a Class 1 misdemeanor.

***Status:***

01/10/06 House: Prefiled and ordered printed; offered 01/11/06 066085256  
01/10/06 House: Referred to Committee on Health, Welfare and Institutions  
01/24/06 House: Referred from Health, Welfare and Institutions  
01/24/06 House: Referred to Committee for Courts of Justice  
02/15/06 House: Left in Courts of Justice

**HB873 Information technology professionals; reporting child abuse; penalty.**

***Chief Patron:*** Kathy J. Byron

***Summary:***

Information technology professionals; reporting child abuse; penalty. Adds information technology professionals to the list of those required to report suspected child abuse or neglect.

***Status:***

01/10/06 House: Referred to Committee on Health, Welfare and Institutions  
01/17/06 House: Introduced bill reprinted 063354256  
01/31/06 House: Referred from Health, Welfare and Institutions  
01/31/06 House: Referred to Committee for Courts of Justice  
02/15/06 House: Left in Courts of Justice

**HB892 Prohibiting admission of illegal aliens to public institutions of higher education.**

***Chief Patron:*** Thomas D. Gear

***Summary:***

Prohibiting admission of illegal aliens to public institutions of higher education. Provides that persons who are unlawfully present in the country may not be admitted to any public institution of higher education in Virginia.

***Status:***

01/10/06 House: Prefiled and ordered printed; offered 01/11/06 062310304  
01/10/06 House: Referred to Committee on Education  
01/30/06 House: Incorporated by Education (HB262-Hargrove)

**HB894 Health insurance; mandated coverage for treatment of inborn errors of metabolism.**

***Chief Patron:*** Thomas D. Gear

***Summary:***

Health insurance; mandated coverage for treatment of inborn errors of metabolism. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for treatment of inborn errors of metabolism that involve amino acid, carbohydrate, and fat metabolism and for which medically standard methods of diagnosis, treatment, and monitoring exist.

***Status:***

01/10/06 House: Prefiled and ordered printed; offered 01/11/06 066014304  
01/10/06 House: Referred to Committee on Commerce and Labor

01/26/06 House: Tabled in Commerce and Labor

### **HB950 Attorney fees deducted from Commonwealth medical liens.**

**Chief Patron:** Johnny S. Joannou

**Summary:**

Attorney fees deducted from Commonwealth medical liens. Clarifies that in actions where a Commonwealth medical lien is asserted, the attorney fees shall be deducted from the lien total and not the total amount recovered, if the attorney distributes such fees to the injured person.

**Status:**

01/10/06 House: Prefiled and ordered printed; offered 01/11/06 062838352

01/10/06 House: Referred to Committee for Courts of Justice

01/18/06 House: Assigned to Courts of Justice sub-committee: Civil Law ...

02/10/06 House: Continued to 2007 in Courts of Justice

### **HB953 Freedom of Information Act (FOIA); definition of public body.**

**Chief Patron:** Johnny S. Joannou

**Summary:**

Freedom of Information Act (FOIA); definition of public body. Provides that corporations organized or created by, or acting on behalf of, any authority, board, bureau, commission, district, or agency of the Commonwealth shall be deemed "public bodies" for purposes of FOIA. Currently, only corporations organized by the Virginia Retirement System are public bodies.

**Status:**

01/10/06 House: Prefiled and ordered printed; offered 01/11/06 061618352

01/10/06 House: Referred to Committee on General Laws

01/23/06 House: Assigned to General Laws sub-committee: #2 FOIA/Procurement (Marshall, D.)

02/15/06 House: Left in General Laws

### **HB959 Virginia Public Records Act; timely destruction of records.**

**Chief Patron:** M. Kirkland Cox

**Summary:**

Virginia Public Records Act; timely destruction of records. Provides that each agency shall ensure that records authorized to be destroyed or discarded under the Virginia Public Records Act, are destroyed or discarded in a timely manner in accordance with the provisions of the Virginia Public Records Act.

**Status:**

01/10/06 House: Prefiled and ordered printed; offered 01/11/06 067688105

01/10/06 House: Referred to Committee on General Laws

01/23/06 House: Assigned to General Laws sub-committee: #2 FOIA/Procurement (Marshall, D.)

02/15/06 House: Left in General Laws

### **HB1036 Campus safety.**

**Companion Bill:** SB560

**Chief Patron:** Phillip A. Hamilton

**Summary:**

Campus safety. Requires the Department of Criminal Justice Services to develop training standards for campus security officers and to provide technical support and assistance to campus police departments and campus security departments. The bill has an effective date of July 1, 2007.

**Status:**

02/01/06 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

02/01/06 House: Communicated to Senate

02/02/06 Senate: Constitutional reading dispensed

02/02/06 Senate: Referred to Committee on General Laws and Technology

02/15/06 Senate: Reported from General Laws and Technology (15-Y 0-N)

**HB1044 Health maintenance organizations.**

**Chief Patron:** Terry G. Kilgore

**Summary:**

Health maintenance organizations. Exempts health maintenance organizations that report a capital and surplus amount of at least \$4,500,000 from the obligation to file statements of covered and uncovered expenses with the State Corporation Commission. The measure also provides that identification cards issued to a subscriber do not constitute evidence of coverage under a certificate, agreement, or contract.

**Status:**

02/08/06 House: Read third time and passed House BLOCK VOTE (97-Y 0-N)

02/08/06 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N)

02/08/06 House: Communicated to Senate

02/09/06 Senate: Constitutional reading dispensed

02/09/06 Senate: Referred to Committee on Commerce and Labor

**HB1064 Health insurance for certain state employees; TRICARE Military Health System.**

**Chief Patron:** Vivian E. Watts

**Summary:**

Health insurance for certain state employees; TRICARE Military Health System. Authorizes the Department of Human Resource Management to offer a voluntary supplemental health coverage program for state employees who have primary coverage under the TRICARE Military Health System.

**Status:**

01/11/06 House: Prefiled and ordered printed; offered 01/11/06 064228544

01/11/06 House: Referred to Committee on General Laws

01/23/06 House: Assigned to General Laws sub-committee: #4 Prof./Occup./Admin. (Cosgrove)

01/26/06 House: Incorporated by General Laws (HB311-Cox)

**HB1079 Office of Broadband Assistance; established.**

**Chief Patron:** James M. Scott

**Summary:**

Office of Broadband Assistance; established. Establishes the Office of Broadband Assistance under the Secretary of Technology. The office would support the efforts of both public and quasi-public bodies within the Commonwealth to enhance or facilitate the demand for, deployment of, and access to broadband Internet for underserved areas within the Commonwealth. The office would also serve as a broadband information clearinghouse for the Commonwealth and a coordination point for broadband related services and programs in the Commonwealth. The director of the office would advise the Secretary on trends in broadband deployment and report annually by December 1 to the Governor and General Assembly.

**Status:**

01/11/06 House: Prefiled and ordered printed; offered 01/11/06 063906500

01/11/06 House: Referred to Committee on Science and Technology

02/06/06 House: Stricken from docket by Science and Technology

**HB1107 Higher education; articulation agreements.**

**Chief Patron:** Clifford L. Athey, Jr.

**Summary:**

Higher education; articulation agreements. Requires that articulation agreements between public four-year institutions of higher education and institutions within the Virginia Community College System include minimum numbers of associate degree graduates the institution of higher education will admit and enroll annually as transfer students from Virginia's community colleges. The State Council of Higher Education for Virginia, the Virginia Community College System, and each institution of higher education must agree on the minimum number of associate degree graduates each institution of higher education will annually admit and enroll as transfer students from community colleges. The State Council of Higher Education must submit an annual report to the Senate Committee on Education and Health and the House Committee on Education specifying the total number of transfer students each institution of higher education accepted from community colleges and whether such numbers meet the minimum number of such transfer students each institution agreed to accept.

**Status:**

01/11/06 House: Prefiled and ordered printed; offered 01/11/06 066652220

01/11/06 House: Referred to Committee on Education

02/06/06 House: Continued to 2007 in Education

**HB1151 Restrictions on funding of family planning services.**

**Chief Patron:** L. Scott Lingamfelter

**Summary:**

Restrictions on funding of family planning services. Prohibits the Departments of Health, Medical Assistance Services, and Social Services from making any payment, grant, or expenditure of any state funds used for family planning services, pregnancy testing, and follow-up services to subsidize directly or indirectly abortion services or administrative expenses or to any organization or affiliate of any organization that provides abortion services. "Family planning services" is defined as preconception services that limit or enhance fertility, including contraception methods, the management of infertility, preconception counseling, education, and general reproductive health care. No referrals for abortion

services may be made by organizations receiving state funds. Organizations receiving state family planning funds must be independently incorporated from any organization that provides abortion services, must not share the same or similar name, facilities, expenses, employee wages or salaries, equipment, or supplies, and must maintain financial records demonstrating strict compliance with the funding prohibition. An audit must be performed at least every three years.

***Status:***

01/11/06 House: Prefiled and ordered printed; offered 01/11/06 063880380  
01/11/06 House: Referred to Committee on Health, Welfare and Institutions  
02/15/06 House: Left in Health, Welfare and Institutions

**HB1161 State employees; alternative work schedules.**

***Chief Patron:***      **Albert C. Eisenberg**

***Summary:***

State employees; alternative work schedules. Adds telecommunications connectivity (i.e., broadband Internet access, additional telephone lines, and online collaborative tools) to the list of specific budget items that the heads of state agencies must include in their report to the Secretary of Administration on telecommuting and participation in alternative work schedules by state employees.

***Status:***

02/09/06 House: VOTE: PASSAGE (83-Y 14-N)  
02/09/06 House: Communicated to Senate  
02/10/06 Senate: Constitutional reading dispensed  
02/10/06 Senate: Referred to Committee on General Laws and Technology  
02/15/06 Senate: Reported from General Laws and Technology (13-Y 0-N)

**HB1226 Procurement contract fees for eVa; minimum fee required.**

***Chief Patron:***      **Dwight Clinton Jones**

***Summary:***

Procurement contract fees for eVa; minimum fee required. Requires the Department of General Services to set a minimum fee for contracts formed using the electronic public procurement program commonly known as "eVa." The minimum fee would be charged when the percentage-based fee is lower than the minimum fee. The minimum fee shall be set at a rate that will ensure eVa operates as a financially self-supporting application.

***Status:***

01/11/06 House: Prefiled and ordered printed; offered 01/11/06 066677364  
01/11/06 House: Referred to Committee on General Laws  
01/23/06 House: Assigned to General Laws sub-committee:#2 FOIA/Procurement (Marshall, D.)  
02/09/06 House: Continued to 2007 in General Laws

**HB1228 Department of Business Assistance; Office of Small Business Advocacy.**

***Chief Patron:***      **Dwight Clinton Jones**

***Summary:***

Department of Business Assistance; Office of Small Business Advocacy. Creates the Office of Small Business Advocacy within the Department of Business Assistance. The bill sets out the powers and

duties of the Office. The bill defines small business as a business entity, including its affiliates, located in Virginia that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.

***Status:***

01/11/06 House: Prefiled and ordered printed; offered 01/11/06 065617364

01/11/06 House: Referred to Committee on General Laws

01/23/06 House: Assigned to General Laws sub-committee:#2 FOIA/Procurement (Marshall, D.)

02/09/06 House: Incorporated by General Laws (HB1591-Tyler)

**HB1239 Secretary of Administration; disaster planning; identification of personnel.**

***Chief Patron:*** Timothy D. Hugo

***Summary:***

Secretary of Administration; disaster planning; identification of personnel. Imposes the duty on the Secretary of Administration to require each agency head to establish a process to identify every employee and on-site contractor present in buildings or facilities owned or leased by the Commonwealth. Identification of individuals shall be determined by a combination of technologies such that presence verification can be determined immediately upon the event that any facility, or portion of a facility, becomes unavailable for use because of a natural disaster or terrorist attack. The head of each agency is required to report annually to the Secretary on the status of any programs or policies developed and implemented. The bill further provides that any agency head failing to comply shall forfeit 1% of the moneys appropriated for the operation of the agency as provided in the appropriation act. Such moneys shall be taken by the Comptroller and deposited into the Literary Fund.

***Status:***

01/11/06 House: Prefiled and ordered printed; offered 01/11/06 067677332

01/11/06 House: Referred to Committee on General Laws

01/23/06 House: Assigned to General Laws sub-committee: #2 FOIA/Procurement (Marshall, D.)

02/15/06 House: Left in General Laws

**HB1240 Secretary of Administration; telecommuting and alternative work schedules for state employees; effectiveness.**

***Chief Patron:*** Timothy D. Hugo

***Summary:***

Secretary of Administration; telecommuting and alternative work schedules for state employees; effectiveness. 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 1% 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:***

01/11/06 House: Prefiled and ordered printed; offered 01/11/06 067679332

01/11/06 House: Referred to Committee on Science and Technology

01/30/06 House: Continued to 2007 in Science and Technology

**HB1241 Secretary of Administration; office space utilization.**

***Chief Patron:*** Timothy D. Hugo

***Summary:***

Secretary of Administration; office space utilization. Provides that the Secretary shall require each agency head to determine the actual daily utilization of each and every workspace within all state government-owned or leased buildings or facilities. Actual utilization shall be determined by comparing the number of days a workspace is actually used to the time the workspace is available for use. The bill provides that any agency head failing to comply shall forfeit 1% of the moneys appropriated for the operation of the agency as provided in the appropriation act. Such moneys are to be taken by the Comptroller and deposited into the Literary Fund.

***Status:***

01/11/06 House: Prefiled and ordered printed; offered 01/11/06 067678332

01/11/06 House: Referred to Committee on General Laws

01/23/06 House: Assigned to General Laws sub-committee: #2 FOIA/Procurement (Marshall, D.)

02/15/06 House: Left in General Laws

**HB1247 Admissions policies.**

***Chief Patron:*** Timothy D. Hugo

***Summary:***

Admissions policies. Requires the board of visitors or other governing body of each public institution of higher education in Virginia to establish admissions policies that prohibit discrimination on the basis of the geographical region of the Commonwealth where the applicant resides.

***Status:***

01/11/06 House: Prefiled and ordered printed; offered 01/11/06 060253332

01/11/06 House: Referred to Committee on Education

01/23/06 House: Passed by indefinitely in Education

**HB1274 Health professions; abortion complications reporting; penalties.**

***Chief Patron:*** William R. Janis

***Summary:***

Health professions; abortion complications reporting; penalties. Requires physicians to report medical treatment for complications arising as a primary, secondary, or tertiary result of an induced abortion. The Department of Health shall compile an annual report containing aggregate data from the physicians' reports. Patient identifiers are not included in the information reported, and disclosure of confidential identifying information is punished as a felony with a maximum imprisonment of three years, a fine of \$5,000, or both.

***Status:***

02/10/06 House: Read third time and passed House (64-Y 34-N)  
02/10/06 House: VOTE: PASSAGE (64-Y 34-N)  
02/10/06 House: Communicated to Senate  
02/13/06 Senate: Constitutional reading dispensed  
02/13/06 Senate: Referred to Committee on Education and Health

**HB1314 Public Procurement Act; prohibited contracts; required contract provisions.**

***Chief Patron:*** Jeffrey M. Frederick

***Summary:***

Public Procurement Act; prohibited contracts; required contract provisions. Provides that no public body shall enter into any contract for goods, services, or construction with any potential bidder or offeror that employs in any aspect of such person's business, individuals other than citizens of the United States, legal resident aliens, or individuals with a valid visa. The bill further requires all public bodies to include in every contract for goods or services the following provisions: During the performance of this contract, the contractor agrees to (i) post in conspicuous places, available to employees and applicants for employment, a statement notifying such persons that only citizens of the United States, legal resident aliens, and individuals with a valid visa will be hired to perform the services under the contract or any subcontract of such contract; (ii) state in all solicitations or advertisements for employees placed by or on behalf of the contractor that the contractor will hire only citizens of the United States, legal resident aliens, and individuals with a valid visa to perform the services under the contract or any subcontract of such contract; and (iii) include the provisions of the foregoing clauses in every subcontract or purchase order, so that the provisions will be binding upon each subcontractor or vendor.

***Status:***

01/11/06 House: Prefiled and ordered printed; offered 01/11/06 067687303  
01/11/06 House: Referred to Committee on General Laws  
01/23/06 House: Assigned to General Laws sub-committee: #2 FOIA/Procurement (Marshall, D.)  
02/09/06 House: Continued to 2007 in General Laws

**HB1331 Virginia Retirement System; defined contribution plan.**

***Chief Patron:*** Robert B. Bell

***Summary:***

Virginia Retirement System; defined contribution plan. Creates a new defined contribution plan for all employees who enter on or after July 1, 2006, into any position covered by any retirement plan administered by the Virginia Retirement System. The employee has 90 days after entering into such a position to elect to participate in the defined contribution plan or the retirement plan for which he is otherwise eligible.

***Status:***

01/11/06 House: Prefiled and ordered printed; offered 01/11/06 061271232  
01/11/06 House: Referred to Committee on Appropriations  
01/27/06 House: Assigned App. sub: Compensation and Retirement (Putney)  
02/15/06 House: Left in Appropriations

## **HB1368 Property; Home Serenity and Tranquility Act; civil penalty.**

**Chief Patron:** Robert D. Hull

### ***Summary:***

Property; Home Serenity and Tranquility Act; civil penalty. Creates the Home Serenity and Tranquility Act, which prohibits the operation on an athletic field owned or operated by a public or private entity of any event (i) before the hour of eight o'clock in the morning, (ii) after the hour of six o'clock in the evening, or (iii) on Sunday without the unanimous written consent of the affected homeowners. The bill defines athletic field, homeowner, and affected homeowner. The bill provides a civil penalty for violation and gives an aggrieved homeowner a cause of action for violations.

### ***Status:***

01/11/06 House: Prefiled and ordered printed; offered 01/11/06 060815336

01/11/06 House: Referred to Committee for Courts of Justice

01/30/06 House: Stricken from docket by Courts of Justice

## **HB1378 Informed consent to an abortion.**

**Chief Patron:** Mark L. Cole

### ***Summary:***

Informed consent to an abortion. Provides that informed consent to an abortion shall include a determination by a physician, who shall neither perform the abortion nor gain financially by the performance of the abortion, of the viability of the pregnancy as indicated by the presence of a fetal sac within the uterus and of fetal cardiac activity.

### ***Status:***

01/11/06 House: Presented and ordered printed 067090272

01/11/06 House: Referred to Committee for Courts of Justice

02/15/06 House: Left in Courts of Justice

## **HB1394 Medical assistance services.**

**Chief Patron:** John J. Welch, III

### ***Summary:***

Medical assistance services. Requires the development and implementation of an online electronic and appropriately encrypted system for recipient eligibility review and eligibility verification, with software designed to detect inaccuracies and to issue alert notices of potential changes in circumstances or program violations. An enactment clause authorizes the Director of the Department of Medical Assistance Services to design fail-safe mechanisms to ensure that no recipient is denied necessary medical or health care services because of technology deficiencies during the implementation of the online system.

### ***Status:***

01/12/06 House: Referred to Committee on Science and Technology

01/30/06 House: Reported from Science and Technology with amendment (20-Y 0-N)

01/30/06 House: Referred to Committee on Appropriations

02/02/06 House: Assigned App. sub: Health and Human Resources (Hamilton)

02/08/06 House: Incorporated by Appropriations (HB757-Hamilton)

## **HB1459 Higher Education; tuition lock certificate program.**

**Chief Patron:** Terry G. Kilgore

### **Summary:**

Higher Education; tuition lock certificate program. Authorizes the governing bodies of the public institutions of higher education to establish, beginning with the 2006-2007 academic year, a tuition lock certificate (TLC) program that prospectively fixes the cost of tuition and fees for incoming undergraduate freshmen students for four consecutive years under the following conditions: (i) eligible students shall be enrolled full-time and remain continuously enrolled as full-time students for the period of eligibility for the TLC; (ii) a class rate is annually established, in accordance with any requirements set forth in the appropriation act; (iii) rules are clearly established for the TLC to address eligibility of undergraduate freshmen, the eligibility of transfer students, and any unforeseen circumstances that may require eligible students to take a leave of absence from the institution; and (iv) literature is disseminated to all students applying to the relevant institution that clearly and concisely explains program eligibility, costs, and terms vis-a-vis the costs associated with part-time enrollment. Any TLC program must provide a class rate for instate students and may also establish a higher class rate for out-of-state students.

### **Status:**

01/19/06 House: Presented and ordered printed 065711372

01/19/06 House: Referred to Committee on Education

02/15/06 House: Left in Education

## **HB1478 Textbook sales at public institutions of higher education.**

**Chief Patron:** G. Glenn Oder

### **Summary:**

Textbook sales at public institutions of higher education. Provides that the governing boards of public institutions of higher education must implement policies for minimizing the cost of textbooks for students at colleges and universities. The guidelines must include (i) that faculty members submit lists of their required textbooks to the university bookstore in a timely manner, (ii) that any on-campus university bookstore selling textbooks to students as part of a package with other study products also sell such textbooks separate of such study products, (iii) that faculty members affirmatively acknowledge the price of textbooks they require before the order is complete, (iv) that faculty be encouraged to limit their use of new edition textbooks, (v) that sample copies of textbooks be made available for students in the university library, and (vi) that the revenue collected by the university from textbook sales at institution-owned or privately contracted bookstores be used solely for on-campus student activities, financial aid, or improvements to existing university infrastructure and services. The measure further provides that no funds for financial aid from university bookstore revenue may be counted in the calculation for state appropriations for student financial aid.

### **Status:**

01/30/06 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

01/30/06 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

01/30/06 House: Communicated to Senate

01/31/06 Senate: Constitutional reading dispensed

01/31/06 Senate: Referred to Committee on Education and Health

**HB1501 Information to be provided by the Board of Medicine to individuals filing complaints against physicians.**

**Chief Patron:** Vincent F. Callahan, Jr.

**Summary:**

Information to be provided by the Board of Medicine to individuals filing complaints against physicians. Requires, notwithstanding the restrictions on disclosure included in present law, that whenever an individual files a written complaint against a physician licensed by the Board of Medicine, the Board shall (i) notify the complainant whenever any hearing is conducted on the matter under investigation pursuant to the complaint and inform the complainant of his right to attend the hearing; (ii) provide, upon concluding its deliberations on the matter, access to the records considered by the Board in reaching its decision to the complainant; and (iii) issue to the complainant an explanation of the rationale for the Board's decision when disciplinary action is not determined to be warranted that includes specific citations of relevant code sections or regulations used to make such determination.

**Status:**

02/07/06 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N)  
02/07/06 House: Communicated to Senate  
02/08/06 Senate: Constitutional reading dispensed  
02/08/06 Senate: Referred to Committee on Education and Health  
02/16/06 Senate: Reported from Education and Health (15-Y 0-N)

**HB1502 Management agreements with certain institutions of higher education.**

**Chief Patron:** Vincent F. Callahan, Jr.

**Summary:**

Management agreements with certain institutions of higher education. Provides management agreements between the Commonwealth and Virginia Polytechnic Institute and State University, The College of William and Mary in Virginia, and the University of Virginia, respectively, pursuant to the Restructured Higher Education Financial and Administrative Operations Act

**Status:**

02/14/06 House: Read third time and passed House (95-Y 4-N 1-A)  
02/14/06 House: VOTE: PASSAGE (95-Y 4-N 1-A)  
02/14/06 House: Communicated to Senate  
02/15/06 Senate: Constitutional reading dispensed  
02/15/06 Senate: Referred to Committee on Finance

**HB1504 Certificate of public need; exemption.**

**Chief Patron:** Phillip A. Hamilton

**Summary:**

Certificate of public need; exemption. Exempts from the definition of "medical care facility" a specialized center for the provision of magnetic resonance imaging (MRI) restricted to obese, disabled, or claustrophobic patients.

**Status:**

01/20/06 House: Presented and ordered printed 061025440  
01/20/06 House: Referred to Committee on Health, Welfare and Institutions

02/02/06 House: Continued to 2007 in Health, Welfare and Institutions (12-Y 9-N)

### **HB1531 Unprofessional conduct; practice of the healing arts.**

**Chief Patron:** Ward L. Armstrong

**Summary:**

Unprofessional conduct; practice of the healing arts. The Board must deem unprofessional the inquisition into the private affairs of any patient by a practitioner of the healing arts, on topics having no relationship to the practice of the healing arts especially regarding the ownership, storage, or use of firearms or other related personal property.

**Status:**

02/13/06 House: Read third time and passed House (88-Y 11-N)

02/13/06 House: VOTE: PASSAGE (88-Y 11-N)

02/13/06 House: Communicated to Senate

02/14/06 Senate: Constitutional reading dispensed

02/14/06 Senate: Referred to Committee on Education and Health

### **HB1572 University rules and regulations relating to students with concealed handgun permits.**

**Chief Patron:** C. Todd Gilbert

**Summary:**

University rules and regulations relating to students with concealed handgun permits. Provides that no board of visitors or other governing body of an educational institution shall have the authority to establish rules or regulations limiting or abridging the ability of a student with a valid concealed handgun permit from lawfully carrying a concealed handgun. However, boards of visitors or other governing bodies of educational institutions may establish such rules or regulations relating to (i) students receiving military training in the Reserved Officers' Training Corps or other military training program administered by the educational institution, (ii) students engaging in athletic events, and (iii) the storage of firearms in campus dormitories.

**Status:**

01/20/06 House: Presented and ordered printed 063840308

01/20/06 House: Referred to Committee on Militia, Police and Public Safety

02/15/06 House: Left in Militia, Police and Public Safety

### **HB1596 Admission of in-state students at public institutions of higher education.**

**Chief Patron:** Timothy D. Hugo

**Summary:**

Admission of in-state students at public institutions of higher education. Provides that the board of visitors or other governing body of each public institution of higher education must establish rules and regulations requiring that at least 75% of students admitted and enrolled at the institution be Virginia domiciles.

**Status:**

01/20/06 House: Presented and ordered printed 060285332

01/20/06 House: Referred to Committee on Education

01/25/06 House: Passed by indefinitely in Education

### **HB1603 Multiline telephone systems.**

**Chief Patron:** Melanie L. Rapp

**Summary:**

Multiline telephone systems. Requires owners or operators of multiline telephone systems serving residential facilities, hotels and motels, business locations, and educational institutions to ensure that a public safety answering point is able to identify the location from which a call to 9-1-1 is placed.

**Status:**

01/20/06 House: Presented and ordered printed 062693480

01/20/06 House: Referred to Committee on Commerce and Labor

01/24/06 House: Assigned C & L sub: Utilities/Employment (Byron)

02/09/06 House: Continued to 2007 in Commerce and Labor

### **HJ23 Constitutional amendment (second resolution); marriage.**

**Chief Patron:** John A. Cosgrove

**Summary:**

Constitutional amendment (second resolution); marriage. Provides that "only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions." The proposed amendment also prohibits the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage." Further, the proposed amendment prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage."

**Status:**

12/21/05 House: Prefiled and ordered printed; offered 01/11/06 060395276

12/21/05 House: Referred to Committee on Privileges and Elections

01/11/06 House: Incorporated by Privileges and Elections (HJ41-Marshall, R.G.)

### **HJ41 Constitutional amendment (second resolution); marriage.**

**Chief Patron:** Robert G. Marshall

**Summary:**

Constitutional amendment (second resolution); marriage. Provides that "only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions." The proposed amendment also prohibits the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage." Further, the proposed amendment prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage."

**Status:**

01/16/06 Senate: Referred to Committee on Privileges and Elections

02/15/06 Senate: Reported from Privileges and Elections (11-Y 4-N)  
02/16/06 Senate: Read second time  
02/16/06 Senate: Reading waived (36-Y 4-N)  
02/16/06 Senate: Passed by for the day

**HJ48 Study; continuing the Joint Subcommittee to Study Medical, Ethical, and Scientific Issues Relating to Stem Cell Research Conducted in the**

**Chief Patron: Robert G. Marshall**

**Summary:**

Study; continuing the Joint Subcommittee to Study Medical, Ethical, and Scientific Issues Relating to Stem Cell Research Conducted in the Commonwealth; report. Describes the 2005 proceedings of the joint subcommittee as recorded on its website and notes its two unanimous recommendations to the 2006 Session: the establishment of an umbilical cord blood bank and continuation of its study for another year.

**Status:**

02/10/06 House: Agreed to by House BLOCK VOTE (98-Y 0-N)  
02/10/06 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N)  
02/10/06 House: Communicated to Senate  
02/13/06 Senate: Reading waived  
02/13/06 Senate: Referred to Committee on Rules

**HJ50 Study; health courts; report.**

**Chief Patron: Phillip A. Hamilton**

**Summary:**

Study; health courts; report. Directs the Joint Legislative Audit and Review Commission to study the feasibility of establishing a system of health courts to hear medical malpractice claims in the Commonwealth.

**Status:**

02/10/06 House: Agreed to by House (78-Y 20-N)  
02/10/06 House: VOTE: ADOPTION (78-Y 20-N)  
02/10/06 House: Communicated to Senate  
02/13/06 Senate: Reading waived  
02/13/06 Senate: Referred to Committee on Rules

**SB144 Health care services billing information.**

**Chief Patron: R. Creigh Deeds**

**Summary:**

Health care services billing information. Requires providers of healthcare services to give patients, upon request, statements that identify each service provided, the charge for the service, and the amount of each charge that is not reimbursed and will be billed to the patient.

**Status:**

01/10/06 Senate: Prefiled and ordered printed; offered 01/11/06 064346724  
01/10/06 Senate: Referred to Committee on Commerce and Labor

01/30/06 Senate: Continued to 2007 in Commerce and Labor (15-Y 0-N)

**SB175 Virginia Retirement System; retirement allowances.**

**Chief Patron:** William C. Wampler, Jr.

**Summary:**

Virginia Retirement System; retirement allowances. Increases the retirement allowances for future state and local retirees of the Virginia Retirement System (VRS), Law Enforcement Officers' Retirement System (LEOs), State Police Officers' Retirement System (SPORS), and the Virginia Law Officers' Retirement System (VaLORS) by gradually increasing, over a six-year period, the percentage of average final compensation that is multiplied by the amount of creditable service (i) from two percent to 2.3 percent for certain members of the Virginia Law Officers' Retirement System who are not eligible for the supplemental allowance and (ii) from 1.7 percent to two percent for all other such state and local employees.

**Status:**

01/10/06 Senate: Prefiled and ordered printed; offered 01/11/06 069110836

01/10/06 Senate: Referred to Committee on Finance

02/07/06 Senate: Incorporated by Finance (SB393-Stolle) (15-Y 0-N)

**SB179 Virginia Human Rights Act; prohibition of discrimination in employment based on certain criminal convictions.**

**Chief Patron:** Mamie Locke

**Summary:**

Virginia Human Rights Act; prohibition of discrimination in employment based on certain criminal convictions. Prohibits discrimination in employment based on an individual's criminal conviction record unless the conviction directly relates to the circumstances of the particular position, occupation, trade, or profession for which the individual is seeking employment.

**Status:**

01/10/06 Senate: Prefiled and ordered printed; offered 01/11/06 064385750

01/10/06 Senate: Referred to Committee on General Laws and Technology

01/18/06 Senate: Rereferred from General Laws and Technology (14-Y 0-N)

01/18/06 Senate: Rereferred to Courts of Justice

02/06/06 Senate: Continued to 2007 in Courts of Justice (14-Y 0-N)

**SB275 Department of General Services; Green Buildings Act.**

**Chief Patron:** Mary Margaret Whipple

**Summary:**

Department of General Services; Green Buildings Act. Requires all major facility projects of state agencies and other entities for which the project is funded with state money to be designed, constructed, and certified to meet the LEED silver standard as established by the United States Green Building Council Leadership in Energy and Environment Design. The bill defines "major facility project" as a building construction project with more than 5,000 gross square feet of occupied or conditioned space, or a building renovation project when the cost is greater than 50% of the assessed value and the project with more than 5,000 gross square feet of occupied or conditioned space. Under the bill, a major

facility project may not be required to meet the standard if (i) there is no appropriate LEED silver standard for that type of building or renovation project, (ii) there is no practical way to apply the LEED silver standard to a particular building or renovation project, or (iii) the building or renovation project is an electricity transmitter building, a water pumping station, or a hospital.

***Status:***

01/10/06 Senate: Prefiled and ordered printed; offered 01/11/06 065674844  
01/10/06 Senate: Referred to Committee on General Laws and Technology  
02/08/06 Senate: Continued to 2007 in General Laws and Technology (15-Y 0-N)

**SB315 Abortion performed on child under age 15; penalty.**

***Chief Patron:*** Ken T. Cuccinelli, II

***Summary:***

Abortion performed on child under age 15; penalty. Requires the preservation and testing of fetal tissue for the purpose of determining whether the pregnancy is the result of criminal behavior. Failure of a physician to comply the requirements is unprofessional conduct and a Class 4 misdemeanor.

***Status:***

01/10/06 Senate: Prefiled and ordered printed; offered 01/11/06 061343720  
01/10/06 Senate: Referred to Committee for Courts of Justice  
02/06/06 Senate: Failed to report (defeated) in Courts of Justice (4-Y 11-N)

**SB334 Technology; required protection measures; public libraries; exception.**

***Chief Patron:*** Mark D. Obenshain

***Summary:***

Technology; required protection measures; public libraries; exception. Requires the library board or governing body of a library that receives state funding for any purpose to include in its acceptable use policy for the Internet provisions requiring the selection, installation, and activation on those computers that have Internet access a technology protection measure, as selected by the Library of Virginia, to filter or block Internet access through such computers to child pornography as set out in 18.2-374.1:1, obscenity as defined in 18.2-372, and, with respect to minors, materials deemed harmful to juveniles as defined in 18.2-390. The bill also requires the library board or governing body to actually select, install, and activate the technology protection measure. The bill provides an exception which allows a person authorized by the library to disable the technology protection measure at the request of the patron for bona fide research or other lawful purpose.

***Status:***

01/11/06 Senate: Referred to Committee on General Laws and Technology  
01/18/06 Senate: Reported from General Laws and Technology with substitute (9-Y 5-N)  
01/18/06 Senate: Rereferred to Finance  
01/19/06 Senate: Committee substitute printed 060168782-S1  
02/14/06 Senate: Left in Finance (15-Y 0-N)

**SB364 Workforce Transition Act.**

**Chief Patron:** William C. Wampler, Jr.

**Summary:**

Workforce Transition Act. Provides that gubernatorial appointees shall be covered under the Act regardless of years of service prior to appointment. The bill would also require all gubernatorial appointees who are eligible for benefits under the Act to each year sign a statement providing that such person has read and understands the benefits for which he is eligible under the Act. The Department of Human Resource Management would retain all such statements in its records.

**Status:**

02/06/06 Senate: Communicated to House  
02/13/06 House: Placed on Calendar  
02/13/06 House: Read first time  
02/13/06 House: Referred to Committee on General Laws  
02/16/06 House: Assigned GL sub: #4 Prof./Occup./Admin. (Cosgrove)

**SB490 Sexually transmitted infections; testing.**

**Chief Patron:** Frederick M. Quayle

**Summary:**

Sexually transmitted infections; testing. Requires Virginia four-year public colleges and universities to provide STI testing free of charge to students. In order to fund the requirement, the institutions may raise their student activities fee by \$5.

**Status:**

01/11/06 Senate: Prefiled and ordered printed; offered 01/11/06 064322800  
01/11/06 Senate: Referred to Committee on Education and Health  
02/02/06 Senate: Continued to 2007 in Education and Health (14-Y 0-N)

**SB493 State contracts.**

**Chief Patron:** Frank M. Ruff

**Summary:**

State contracts. Requires bidders on state contracts to disclose the country of origin of goods, services, insurance, or construction in their bid submissions.

**Status:**

01/11/06 Senate: Prefiled and ordered printed; offered 01/11/06 060876812  
01/11/06 Senate: Referred to Committee on General Laws and Technology  
01/18/06 Senate: Passed by in General Laws and Technology with letter (14-Y 0-N)  
01/19/06 Senate: Letter sent to Joint Commission on Technology and Science

**SB526 Constitutional amendment (voter referendum); marriage.**

**Chief Patron:** Stephen D. Newman

**Summary:**

Constitutional amendment (voter referendum); marriage. Provides for a referendum at the November 2006 election on approval of a proposed constitutional amendment to define marriage. The proposed amendment provides that "only a union between one man and one woman may be a marriage valid in or

recognized by this Commonwealth and its political subdivisions." The proposed amendment also prohibits the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage." Further, the proposed amendment prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage."

***Status:***

01/25/06 Senate: VOTE: (28-Y 11-N)  
01/25/06 Senate: Communicated to House  
02/13/06 House: Placed on Calendar  
02/13/06 House: Read first time  
02/13/06 House: Referred to Committee on Privileges and Elections

**SB538    *Articulation, transfer, and dual enrollment and admissions agreements.***

***Chief Patron:***        **Walter A. Stosch**

***Summary:***

Articulation, transfer, and dual enrollment and admissions agreements. Requires all four-year public institutions of higher education to develop articulation, transfer, and dual enrollment and admissions agreements, including dual admissions programs for qualified students to be simultaneously accepted by a community college and, contingent upon the successful completion of an acceptable associate degree program from the community college, by the four-year public institution of higher education. The State Council of Higher Education must include in its guidelines for these agreements conditions required to establish dual admissions programs that set forth the obligations of the students accepted in the programs, including grade point average requirements, acceptable associate degree programs, completion timetables, and the students' access to the privileges of enrollment in both institutions while attending either institution.

***Status:***

01/31/06 Senate: VOTE: (37-Y 0-N)  
01/31/06 Senate: Communicated to House  
02/14/06 House: Placed on Calendar  
02/14/06 House: Read first time  
02/14/06 House: Referred to Committee on Education

**SB542    *In-state tuition; limitation on eligibility.***

***Chief Patron:***        **Walter A. Stosch**

***Summary:***

In-state tuition; limitation on eligibility. Provides that students entitled to in-state tuition will be assessed a surcharge upon satisfactorily completing 125% of the student's program. The surcharge will be an amount calculated to equal 100% of the average cost of the student's education at the relevant institution less tuition and mandatory educational and general fee charges assessed to a student meeting Virginia domiciliary status who has not exceeded 125% of the time-to-completion for his program. A waiver of the surcharge may be granted by the State Council of Higher Education upon a determination that an extenuating circumstance, such as, but not limited to, illness or disability or active service in the armed forces of the United States, has delayed the student's progress towards graduation. A second enactment clause requires SCHEV to revise its guidelines for determining in-state tuition charges,

which are not subject to the Administrative Process Act, to include these requirements by July 1, 2006, including, but not limited to, notice to students who may be or may become subject to the surcharge and determinations of extenuating circumstances.

***Status:***

02/14/06 Senate: VOTE: (37-Y 3-N)  
02/14/06 Senate: Communicated to House  
02/15/06 House: Placed on Calendar  
02/15/06 House: Read first time  
02/15/06 House: Referred to Committee on Education

**SB559 Sex offenders; registration, civil commitment and mandatory minimums; penalties.**

***Chief Patron:*** Kenneth W. Stolle

***Summary:***

Sex offenders; registration, civil commitment and mandatory minimums; penalties. Amends provisions related to the Sex Offender and Crimes Against Minors Registry, the civil commitment of sexually violent predators and increases penalties for certain sex crimes.

***Status:***

02/14/06 Senate: VOTE: (40-Y 0-N)  
02/14/06 Senate: Communicated to House  
02/15/06 House: Placed on Calendar  
02/15/06 House: Read first time  
02/15/06 House: Referred to Committee on Militia, Police and Public Safety

**SB560 Campus safety.**

***Chief Patron:*** Kenneth W. Stolle

***Summary:***

Campus safety. Requires the Department of Criminal Justice Services to develop training standards for campus security officers and to provide technical support and assistance to campus police departments and campus security departments. The bill has an effective date of July 1, 2007.

***Status:***

01/31/06 Senate: VOTE: (37-Y 0-N)  
01/31/06 Senate: Communicated to House  
02/14/06 House: Placed on Calendar  
02/14/06 House: Read first time  
02/14/06 House: Referred to Committee on Militia, Police and Public Safety

**SB568 Department of General Services; energy audits for state buildings.**

***Chief Patron:*** Mary Margaret Whipple

***Summary:***

Department of General Services; energy audits for state buildings. Requires the Department of General Services to establish a program to require every state-owned building to undergo an energy audit before December 30, 2008. After the completion of each energy audit, the Division shall develop an

implementation plan to address energy conservation measures recommended by such audit. The bill defines "energy audit" as a determination of the energy consumption characteristics of a building by identifying the type, amount, and rate of energy consumption of the building and its major energy systems.

***Status:***

01/11/06 Senate: Prefiled and ordered printed; offered 01/11/06 065671844  
01/11/06 Senate: Referred to Committee on General Laws and Technology  
02/08/06 Senate: Continued to 2007 in General Laws and Technology (15-Y 0-N)

**SB580 Type of licensure required of physicians who perform abortions.**

***Chief Patron:*** Ken T. Cuccinelli, II

***Summary:***

Type of licensure required of physicians who perform abortions. Provides that, for the purposes of the provisions of the Code regulating abortions, "physician," "licensed physician," and "physician licensed by the Board of Medicine to practice medicine and surgery," when in reference to a physician who performs or who is to perform an abortion, shall mean a physician who is board certified to practice surgery or obstetrics/gynecology or both.

***Status:***

01/11/06 Senate: Prefiled and ordered printed; offered 01/11/06 060019720  
01/11/06 Senate: Referred to Committee on Education and Health  
02/09/06 Senate: Passed by indefinitely in Education and Health (10-Y 5-N)

**SB581 Educational institutions; required disclosure by governing body**

***Chief Patron:*** Ken T. Cuccinelli, II

***Summary:***

Educational institutions; required disclosure by governing body. Requires the governing bodies of public institutions of higher education to annually disclose all factors used in admission decisions, such as geographic diversity, academic achievement, race, ethnicity, religion, or extracurricular activities.

***Status:***

01/11/06 Senate: Prefiled and ordered printed; offered 01/11/06 064318720  
01/11/06 Senate: Referred to Committee on Education and Health  
02/09/06 Senate: Passed by indefinitely in Education and Health (14-Y 1-N)

**SB595 Sales and use tax; refund for exempted entities.**

***Chief Patron:*** John C. Watkins

***Summary:***

Sales and use tax; refund for exempted entities. Allows nonprofit entities to apply for a refund of the sales and use tax paid on purchases after January 1, 2007, instead of exempting such entities from paying the tax at the time of purchase.

***Status:***

01/11/06 Senate: Presented and ordered printed 069119840  
01/11/06 Senate: Referred to Committee on Finance

02/14/06 Senate: Left in Finance (15-Y 0-N)

**SB675 Management agreements with certain institutions of higher education.**

**Chief Patron: R. Edward Houck**

**Summary:**

Management agreements with certain institutions of higher education. Provides management agreements between the Commonwealth and Virginia Polytechnic Institute and State University, The College of William and Mary in Virginia, and the University of Virginia, respectively, pursuant to the Restructured Higher Education Financial and Administrative Operations Act

**Status:**

02/13/06 Senate: VOTE: (40-Y 0-N)

02/13/06 Senate: Communicated to House

02/14/06 House: Placed on Calendar

02/14/06 House: Read first time

02/14/06 House: Referred to Committee on Appropriations

**SB684 Certificate of public need; exemption.**

**Chief Patron: Benjamin J. Lambert III**

**Summary:**

Certificate of public need; exemption. Exempts from the definition of "medical care facility" a specialized center for the provision of magnetic resonance imaging (MRI) restricted to obese, disabled, or claustrophobic patients.

**Status:**

01/20/06 Senate: Presented and ordered printed 069844748

01/20/06 Senate: Referred to Committee on Education and Health

02/02/06 Senate: Continued to 2007 in Education and Health (15-Y 0-N)

**SB703 Board of Nursing; instruction in child abuse recognition and intervention.**

**Chief Patron: Jeannemarie D. Davis**

**Summary:**

Board of Nursing; instruction in child abuse recognition and intervention. Mandates that the Board of Nursing require, on and after July 1, 2006, any person seeking initial licensure or renewal of a license as a professional nurse, clinical nurse specialist, or practical nurse shall have received instruction in child abuse recognition and intervention. Further, the Board must require approved nursing education programs to provide such instruction.

**Status:**

01/31/06 Senate: VOTE: (37-Y 0-N)

01/31/06 Senate: Communicated to House

02/14/06 House: Placed on Calendar

02/14/06 House: Read first time

02/14/06 House: Referred to Committee on Health, Welfare and Institutions

**SJ92 Constitutional amendment (second resolution); marriage.**

**Companion Bill:** HJ41

**Chief Patron:** Stephen D. Newman

**Summary:**

Constitutional amendment (second resolution); marriage. Provides that "only a union between one man and one woman may be a marriage valid in or recognized by the Commonwealth and its political subdivisions." The proposed amendment also prohibits the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage." Further, the proposed amendment prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage."

**Status:**

01/25/06 Senate: Read third time and agreed to by Senate (28-Y 11-N)

01/25/06 Senate: VOTE: (28-Y 11-N)

01/25/06 Senate: Communicated to House

01/30/06 House: Placed on Calendar

01/30/06 House: Referred to Committee on Privileges and Elections