

2015 Session: Bills and Resolutions

(April 6, 2015)

PASSED

HIGHER ED SPECIFIC / RELATED

HOUSE BILLS

HB 1320 Teacher licensure renewal; college credit. (*Farrell*) Prohibits the Board of Education from requiring any teacher seeking renewal of a license to satisfy professional development requirements by completing coursework and earning credit at an institution of higher education at his own expense.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb1320>

HB 1335 Education; agency coordination. (*Landes*) Requires the Secretary of Education to consult with the agencies for which he is responsible pursuant to statute and biennially report to the General Assembly on the coordination efforts among such agencies. The bill also requires (i) the Superintendent of Public Instruction to designate an employee of the Department of Education to serve as its liaison to the State Council of Higher Education for Virginia and the State Board for Community Colleges and (ii) the Chancellor of Community Colleges to designate an employee of the State Board for Community Colleges to serve as its liaison to the Board of Education.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1335>

HB 1336 State Council of Higher Education for Virginia; policy on course credit at public institutions of higher education for certain examinations. (*Landes*) Requires the State Council of Higher Education for Virginia, in consultation with the governing board of each public institution of higher education, to establish a uniform policy for granting undergraduate course credit to entering freshman students who have taken one or more Advanced Placement, Cambridge Advanced (A/AS), College-Level Examination Program (CLEP), or International Baccalaureate examinations and repeals the current law under which such governing boards individually implement such policies. The bill requires SCHEV and each public institution of higher education to make the policy available to the public on its website. The bill has a delayed effective date of July 1, 2016.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1336>

HB 1628 Virginia Public Procurement Act; contract modification. (*Albo*) Provides that the contract modification provisions of the Virginia Public Procurement Act do not limit the amount a party to a public contract may claim or recover against a public body in the event of a contract dispute. The bill provides that modifications that fail to comply with the above provisions are voidable at the discretion of the Governor or his designee, in the case of state agencies, or the governing body, in the case of political subdivisions, and the unauthorized approval of a modification cannot be the basis of a contractual claim under the VA Public Procurement Act.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1628>

HB 1637 Virginia Public Procurement Act; job order contracts and design professional contracts. (*Minchew*) Increases the project amounts for job order contracting (JOC) from \$400,000 to \$500,000 for single task orders and from \$2 million to \$4 million for the sum of all projects performed in a one-year contract term. The bill also (i) decreases the population threshold for localities for the procurement of architectural and engineering services from 80,000 to 78,000 and (ii) increases the single project limit for architectural and engineering services for such localities from \$2 million to \$2.5 million and the aggregate limit for projects performed in a one-year contract term from \$5 million to \$10 million.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1637>

HB 1641 Virginia Values Veterans Program; certification by state agencies. (*Stolle*) Requires the Governor to ensure that every agency, institution, board, bureau, commission, council, or instrumentality of state government in the executive branch is certified by the Department of Veterans Services as part of its Virginia Values Veterans Program.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1641>

HB 1661 Virginia Information Technologies Agency; private institutions of higher education. (*Rust*) Directs the Virginia Information Technologies Agency (VITA) to allow private institutions of higher education that are chartered by an Act of Congress in 1821, have owned and operated since 1991 a campus with a significant presence in the Commonwealth, and are granted tax-exempt status under § 501(c)(3) of the Internal Revenue Code to purchase directly from contracts established for state agencies and public bodies by VITA. Under current law, such institutions must be chartered in Virginia in order to purchase directly from contracts established for state agencies and public bodies by VITA.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1661>

HB 1715 Public institutions of higher education; students exhibiting suicidal tendencies or behavior; parental notification. (*LeMunyon*) Requires the board of visitors or other governing body of every public institution of higher education to establish policies and procedures that (i)(a) set forth the circumstances under which the parents of students exhibiting suicidal tendencies or behavior shall be immediately notified and (b) require the institution to record its reasons when it determines not to immediately notify the parents of students exhibiting suicidal tendencies or behavior under such circumstances, except in certain cases involving parent notification when a student has received mental health treatment at the institution's student health or counseling center, and (ii) advise students, faculty, and staff, including residence hall staff, of the proper procedures for notifying the threat assessment team when a student has exhibited suicidal tendencies or behavior.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1715>

HB 1785 Campus police departments; sexual assault reporting. (*Massie*) Requires that mutual aid agreements between a campus police force and a law-enforcement agency contain provisions requiring either the campus police force or the agency with which it has established a mutual aid agreement to notify the local attorney for the Commonwealth of any investigation involving felony criminal sexual assault occurring on property owned or controlled by the institution of higher education within 48 hours of beginning such investigation.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1785>

HB 1791 Public institutions of higher education; members; removal; terms. *(Massie)* Provides that if a member of the board of visitors of a four-year public institution of higher education or the State Board for Community Colleges fails to attend the meetings of the board for one year without sufficient cause, as determined by a majority vote of the board, or to attend certain required educational programs in his first two years of membership, then the member is removed from office. The bill requires the board of visitors of each four-year public institution of higher education and the State Board for Community Colleges to adopt policies regarding the removal process. The bill repeals existing provisions regarding the removal of members. The bill also prohibits a member who has served for two successive four-year terms from being eligible for reappointment to a board for eight years after the end of his second successive four-year term. Finally, the bill changes the terms of the board of visitors of George Mason University to prohibit members from serving more than two successive four-year terms; current law prohibits members of that board from serving more than two four-year terms, successive or not. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1791>

HB 1891 Capital outlay plan. *(Jones)* Revises the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1891>

HB 1892 Bonds for institutions of higher education. *(Jones)* Authorizes issuance of bonds in an amount up to \$67,500,000 for revenue-producing capital projects at institutions of higher education. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1892>

HB 1897 Intercollegiate athletics programs. *(Cox)* Prohibits the sum of school funds and student fees used to support intercollegiate athletics programs from exceeding a certain percentage of athletics revenues, as those terms are defined in the bill, at each four-year public institution of higher education in the Commonwealth. The bill requires any school that violates this prohibition to submit to the General Assembly a five-year plan for coming into compliance. The bill requires the Auditor of Public Accounts to monitor plan progress and provides that negative audits will trigger a reduction or elimination of existing operational authority. The bill also requires the board of visitors of any four-year public institution of higher education that seeks to add a major intercollegiate athletics program or change the division level of any of its existing intercollegiate athletics programs to first submit to the General Assembly for approval a plan and recommendations for financing the addition or change and prohibits any such addition or change from being implemented without the approval of the General Assembly. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1897>

HB 1930 Institutions of higher education; response to violence; penalty. *(Bell)* Requires the protocols and policies for sexual assault response teams to include the campus and community response to criminal sexual assaults and violent felonies committed on the campus of any institution of higher education in the locality. The bill requires any faculty member or administrator of a public institution of higher education who through the course of his employment obtains information alleging that a violent felony has been committed to report such information to the attorney for the Commonwealth or the law-enforcement agency serving the locality in which the alleged violation occurred, with certain exceptions. The bill provides

that a person in violation of the reporting requirement is subject to a civil penalty of \$500 for the first violation and not more than \$1,000 for each subsequent violation. The bill requires the governing board of each public or private institution of higher education to (i) establish a written memorandum of understanding with a local sexual assault crisis center or other victim support service and (ii) adopt policies to provide victims with information on contacting such center or service. The bill requires all persons appointed and employed as campus police officers or as members of auxiliary forces at an institution of higher education to receive training in trauma-informed response, interviewing, and investigation of alleged criminal sexual assaults committed on campus. The bill also requires that mutual aid agreements between a campus police force and law-enforcement agencies contain provisions requiring either the campus police force or an agency with which it has established a mutual aid agreement to notify the local attorney for the Commonwealth of any complaint or investigation involving a violent felony.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1930>

HB 1959 Six-year plans to include information on intellectual property and externally sponsored research. (*Toscano*) Requires public institutions of higher education to include in their six-year plans information for the prior fiscal year on (i) the assignment during the year of any intellectual property interests to a person or entity with a physical presence in Virginia by the institution or any related entity, (ii) the value of externally sponsored research funds and in-kind contributions received during the year from a person or entity with a physical presence in Virginia by the institution or any related entity, and (iii) the number and types of patents awarded during the year to the institution or any related entity that were developed in whole or part from externally sponsored research provided by a person or entity with a physical presence in Virginia.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1959>

HB 1980 Four-year public institutions of higher education; websites; consumer information. (*Hugo*) Requires each four-year public institution of higher education in the Commonwealth to maintain on the home page of its website and annually update no later than September 1 a tab or link, or both, labeled "Consumer Information" that includes information related to undergraduate retention and graduation rates, tuition and mandatory student fee increases, the use of student fees, postsecondary education and employment, and the institution's finances.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1980>

HB 2068 Senior citizens higher education; income limit. (*Keam*) Increases from \$15,000 to \$23,850 the maximum taxable individual income for senior citizens who wish to register for and enroll in courses as a full-time or part-time student for academic credit, tuition free, at a public institution of higher education.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB2068>

HB 2104 Virginia Freedom of Information Act; records held by both Virginia Commonwealth University (VCU) and the VCU Medical Center; discussion of same. (*Peace*) Provides that the record and open meeting exemptions for VCU Medical Center

shall also apply when the records are in the possession of VCU or the discussion of certain matters occur at a meeting of the Virginia Commonwealth University Board of Visitors.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB2104>

HOUSE RESOLUTIONS/JOINT RESOLUTIONS

HJ 555 Resolution; endorsement of SCHEV's statewide strategic plan for higher education; report. (Landes) Endorses the framework of mission, vision, goals, and strategies for the statewide strategic plan for higher education developed and approved by the State Council of Higher Education for Virginia (SCHEV) as the Commonwealth's vision and plan for higher education and requires SCHEV to report annually for six years on the Commonwealth's progress toward achieving the plan's goals to the Governor, General Assembly, institutions of higher education, and the public.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HJ555>

HJ 558 SCHEV; analysis of teacher shortage; report. (Oroock) Requires the State Council of Higher Education for Virginia to analyze the teacher shortage in the Commonwealth in consultation with the Virginia Community College System, the Department of Education, and the Virginia School Boards Association. The Council is required to examine the causes of the teacher shortage in general, as well as shortages within specific teaching endorsement areas, and to develop strategies to mitigate such shortages.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HJ558>

HJ 780 Commending the VA Institute of Marine Science/School of Marine Science of The College of William & Mary. <https://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HJ780>

SENATE BILLS

SB 712 Higher education; reporting of sexual assault; penalty. (Black) Requires any faculty member, administrator, or full-time staff member employed by a public institution of higher education who through the course of his employment obtains information alleging that a criminal sexual assault has occurred to report within 48 hours such information to law enforcement. The bill provides that a person in violation of the reporting requirement is guilty of a Class 1 misdemeanor.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB712>

SB 1042 Capital outlay plan. (Colgan) Revises the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1042>

SB 1043 Bonds for institutions of higher ed. (Stosch) Authorizes issuance of bonds in an amount up to \$67,500,000 for revenue-producing capital projects at inst of higher education.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1043>

SB 1122 Public institutions of higher education; parental notification of student's suicidal tendencies. (*Barker*) Requires the governing body of a public institution of higher education to establish policies and procedures requiring the notification of the parent of a dependent student when the institution obtains information outside the mental health treatment setting that such student is exhibiting suicidal tendencies if knowledge of the information is necessary to protect the health or safety of the student or other individuals.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1122>

SB 1193 Academic transcripts; suspension or permanent dismissal from institution. (*Norment*) Requires the registrar of each public institution of higher education and certain private institutions of education, or the other employee, office, or department of the institution that is responsible for maintaining student academic records, to include a prominent notation on the transcript of each student who has been suspended or permanently dismissed from the institution for a violation of the institution's code, rules, or set of standards governing the conduct of students.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1193>

SB 1206 Public institutions of higher education; required reports on intellectual property and externally sponsored research. (*Wagner*) Requires public institutions of higher education by July 31 of each year to submit a written document to the Governor, the General Assembly, and the Joint Commission on Technology and Science reporting on the following for the preceding fiscal year: (i) the assignment during the year of any intellectual property interests to a person or entity with a physical presence in Virginia by the institution or any related entity, (ii) the value of externally sponsored research funds and in-kind contributions received during the year from a person or entity with a physical presence in Virginia by the institution or any related entity, and (iii) the number and types of patents awarded during the year to the institution or any related entity that were developed in whole or part from externally sponsored research provided by a person or entity with a physical presence in Virginia.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1206>

SB 1223 Four-year public institutions of higher education; websites; consumer information. (*McWaters*) Requires each four-year public institution of higher education in the Commonwealth to maintain on the home page of its website and annually update no later than September 1 a tab or link, or both, labeled "Consumer Information" that includes information related to undergraduate retention and graduation rates, tuition and mandatory student fee increases, the use of student fees, postsecondary education and employment, and the institution's finances. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1223>

SENATE RESOLUTIONS/JOINT RESOLUTIONS

SJ 228 Resolution; endorsement of SCHEV's statewide strategic plan for higher education; report. (*Martin*) Endorses the framework of mission, vision, goals, and strategies for the statewide strategic plan for higher education developed and approved by the State Council of Higher Education for Virginia (SCHEV) as the Commonwealth's vision and plan for

higher education and requires SCHEV to report annually for six years on the Commonwealth's progress toward achieving the plan's goals to the Governor, General Assembly, institutions of higher education, and the public.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SJ228>

SJ 259 Confirming Governor's interim appointments of certain persons. (*Vogel*) Confirms interim appointments of certain persons made by Governor McAuliffe and communicated to the General Assembly August 1 and 11, 2014.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+ful+SJ259>

PASSED

OTHER BILLS OF INTEREST

HOUSE BILLS

HB 1334 Students' personally identifiable information. (*Landes*) Requires the Department of Education to develop and make publicly available on its website policies to ensure state and local compliance with the federal Family Educational Rights and Privacy Act (FERPA) and state law applicable to students' personally identifiable information, including policies for (i) access to students' personally identifiable information and (ii) the approval of requests for student data from public and private entities and individuals for the purpose of research. The bill requires the Department and each local school division to notify the parent of any student whose personally identifiable information could reasonably be assumed to have been disclosed in violation of FERPA or state law applicable to such information. Such notification shall include the (a) date, estimated date, or date range of the disclosure; (b) type of information that was or is reasonably believed to have been disclosed; and (c) remedial measures taken or planned in response to the disclosure.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb1334&submit=GO>

HB 1423 Institute for Advanced Learning and Research; board membership. (*Marshall, D.*) Requires the nine citizen members of the board of trustees of the Institute for Advanced Learning and Research who represent business and industry to (i) reside in Southside Virginia, (ii) own a business headquartered or otherwise operating in Southside Virginia, or (iii) serve as a member of either the board of directors or senior management of a business headquartered or otherwise operating in Southside Virginia. Under current law, all nine citizen members who represent business and industry are required to reside in Southside Virginia.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb1423>

HB 1562 Electronic identity management; standards; liability. (*Rust*) Creates the Identity Management Standards Advisory Council to advise the Secretaries of Technology and Transportation on the adoption of technical and data standards regarding the verification and authentication of identity in digital and online transactions. Electronic identity providers that adhere to the adopted standards would be immune from civil liability related to the issuance of an electronic identity credential, absent gross negligence or willful misconduct. The bill also

establishes in the Code of Virginia the concept of an identity trust framework operator, an entity that establishes rules and policies for identity providers operating within the framework and issues electronic trustmarks to such providers signifying compliance with the rules and policies of that trust framework.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1562>

HB 1681 Workplace safety; employer reporting requirements. (Carr) Requires employers to notify the Virginia Department of Labor and Industry of any work-related hospitalization, amputation, or loss of an eye. Existing law requires employers to report hospitalizations involving three or more employees and does not specifically address reporting an amputation or enucleation.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1681>

HB 1716 Individual income tax subtraction; discharge of student loan. (LeMunyon) Establishes beginning January 1, 2015, an individual income tax subtraction for income attributable to the discharge of a student loan solely by reason of the student's death or total and permanent disability.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1716>

HB 1790 Prohibition on payments without an appropriation; prohibition on IOUs. (Massie) Prohibits a state agency or official from attempting, guaranteeing, or purporting to pay (i) for a good or service or (ii) a debt unless the General Assembly has appropriated funds to pay the same. The prohibition on payment does not apply to payments required by federal law. The bill also prohibits a state agency or official from furnishing an IOU in exchange for any good or service, as a means to pay for any good or service, or in lieu of a payment on a debt.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1790>

HB 1799 Innovation and Entrepreneurship Investment Authority; powers. (Greason) Provides the Innovation and Entrepreneurship Investment Authority (commonly known as the CIT) with the power to exclusively, or with any other person, form and otherwise develop, own, operate, govern, and otherwise direct the disposition of assets of separate legal entities that facilitate the implementation of the powers and duties of the Authority. The bill provides that these legal entities may include limited liability companies, limited partnerships, charitable foundations, real estate holding companies, investment holding companies, nonstock corporations, and benefit corporations and provides that any such entities shall be operated under the governance of the Authority. The bill sets out other requirements for such entities, including that they shall not be deemed to be a state or governmental agency, advisory agency, or public body or instrumentality and that no director, officer, or employee of any such entity shall be deemed to be an officer or employee for purposes of the State and Local Government Conflict of Interests Act. The bill does provide, however, that the Auditor of Public Accounts or his legally authorized representatives shall annually audit the financial accounts of the Authority and any such entity, provided that the working papers and records of the Auditor of Public Accounts relating to such audits shall not be subject to the provisions of the Virginia Freedom of Information Act. The bill also sets the quorum for the Authority's board of directors at seven and requires the reporting of certain additional information to the Chairmen of the

House Committee on Appropriations and the Senate Committee on Finance, the Secretary of Technology, and the Director of Planning and Budget.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1799>

HB 1833 Law-enforcement officers; administration of naloxone. *(Gilbert)* Allows law-enforcement officers to possess naloxone and administer naloxone to a person who is believed to be experiencing or about to experience an opiate overdose. The bill provides law-enforcement officers immunity from civil liability for any personal injury that results from the good-faith administration of naloxone.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1833>

HB 1835 Virginia Public Procurement Act (VPPA); methods of procurement; job order contracting and cooperative procurement. *(Gilbert)* Clarifies that small purchase procedures include the procurement of construction and that any such procedures shall not waive compliance with the Uniform State Building Code. The bill also increases contract amounts for job order contracting and provides that (i) order splitting with the intent of keeping a job order under the maximum dollar amounts prescribed is prohibited, (ii) no public body shall issue or use a job order solely for the purpose of procuring professional architectural or engineering services, and (iii) job order contracting shall not be used for construction, maintenance, or asset management services for a highway, bridge, tunnel, or overpass. The bill clarifies the provisions of the VPPA related to cooperative procurement and requires that by October 1, 2017, the Department of Small Business and Supplier Diversity, public institutions of higher education having level 2 or 3 authority under the Restructured Higher Education Financial and Administrative Operations Act of 2005, any state agency utilizing job order contracting, and the Virginia Association of Counties, the Virginia Municipal League, and the Virginia Association of Governmental Purchasing on behalf of local public bodies working cooperatively report their respective experiences and findings relating to the appropriateness and effectiveness of job order contracting in general, the job order project cost limitations as added by this bill, and the architectural and professional engineering term contract limits to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology. The bill further provides that its provisions shall not apply to any solicitation issued or contract awarded before July 1, 2015, except that the provisions of subsection B of § 2.2-4303.2, as added by this bill, shall apply to any renewal of a job order contract. The bill contains numerous technical amendments and is a recommendation of the General Laws Special Joint Subcommittee Studying the Virginia Public Procurement Act.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1835>

HB 1854 Virginia Public Procurement Act; small, women-owned, and minority-owned businesses; enhancement or remedial measures. *(Adams)* Requires state contracts awarded pursuant to enhancement or remedial measures implemented to enhance participation by small, women-owned, and minority-owned businesses to include a requirement that no more than 60 percent of the work be subcontracted to another contractor except under certain circumstances. The bill authorizes the Department of Small Business and Supplier Diversity to investigate complaints that the business has violated the contract provision and authorizes the Department to revoke the business's certification as a small, women-owned, or minority-owned

business for a period of one year upon determination that the contract provision has been violated. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1854>

HB 1890 Virginia Retirement System; purchase of service credit for prior service. (*Jones*) Makes numerous changes to the purchase of service credit program to simplify it and make it more cost-neutral to the fund and more in line with other states' programs. The bill has a delayed effective date of January 1, 2017.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1890>

HB 1901 Department of Small Business and Supplier Diversity; definition of small business. (*Lopez*) Changes the definition of small business to require the business, together with affiliates, to have 250 or fewer employees and average annual gross receipts of \$10 million or less averaged over the previous three years. Currently, a small business is required to meet one or the other of these conditions. This bill is a recommendation of the General Laws Special Joint Subcommittee Studying the Virginia Public Procurement Act.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1901>

HB 1924 Eastern Virginia Groundwater Management Advisory Committee established. (*Hodges*) Establishes the Eastern Virginia Groundwater Management Advisory Committee (the Committee) to assist the Department of Environmental Quality (DEQ) in developing, revising, and implementing a management strategy for ground water in the Eastern Virginia Groundwater Management Area. The bill prohibits the State Water Control Board and the DEQ from taking any actions that require reductions in the volume of permitted ground water withdrawals until the report of the Committee is presented to the State Water Commission. The bill has a sunset date of January 1, 2018.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1924>

HB 1969 Virginia Retirement System; cash balance retirement plan. (*Jones*) Directs the Virginia Retirement System to develop a proposed cash balance retirement plan and provide the proposal to the General Assembly no later than November 1, 2015.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1969>

HB 1986 Virginia Board of Workforce Development. (*Byron*) Makes several changes to the Virginia Board of Workforce Development, including (i) requiring quarterly meetings of the Board; (ii) establishing a full-time director position to be supervised by the Governor's Chief Workforce Development Advisor and dedicated to supporting the Board's operations; and (iii) adding, as an area of policy advice to the Governor, issues to create a business-driven system that increases the rates of attainment of workforce credentials and job attainment. In addition, the bill increases the size of the Board from 26 to 29 members by reshaping the executive branch membership, reducing the number of legislative members from four to two, and increasing the number of citizen members from 14 to 15. The bill also makes several technical amendments required with the transition from the federal Workforce Investment Act of 1998 to the federal Workforce Innovation and Opportunity Act of 2014.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1986>

HB 2070 State and Local Government Conflict of Interests Act, General Assembly Conflicts of Interests Act, and Virginia Conflict of Interest and Ethics Advisory Council; certain gifts prohibited; waivers required for certain travel. (*Gilbert*) Removes the distinction between tangible and intangible gifts and prohibits any state or local officer or employee, member of the General Assembly, and certain candidates from soliciting, accepting, or receiving a single gift with a value exceeding \$100 from certain persons. The bill provides an exception for gifts received at widely attended events, which are those events in which there is a reasonable expectation that at least 25 persons will attend the event and the event is open to individuals from throughout a particular industry or profession or who represent persons interested in a particular issue. The bill requires disclosure of any single gift or entertainment, or any combination of gifts or entertainment, with a value exceeding \$50. The bill also requires persons subject to the Conflict of Interest Acts to request a waiver from the Virginia Conflict of Interest and Ethics Advisory Council and receive the approval of the Council prior to accepting or receiving any transportation, lodging, meal, hospitality, or other travel-related thing of value provided by a third party that has a value exceeding \$100. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB2070>

HB 2125 Use of unmanned aircraft systems; search warrant required. (*Cline*) Replaces the moratorium on the use of unmanned aircraft systems by state and local law enforcement and regulatory entities, except in defined emergency situations or in training exercises related to such situations, that will expire on July 1, 2015, with an absolute prohibition on the use of unmanned aircraft systems by such law enforcement and regulatory entities unless a search warrant has been obtained prior to such use. The warrant requirement does not apply to certain search and rescue operations, certain Virginia National Guard functions, or research and development conducted by institutions of higher education or other research organizations. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB2125>

HB 2148 Virginia Public Procurement Act; small, women-owned, and minority-owned businesses. (*Yancey*) Defines "historically black colleges and universities" and provides that the term "minority-owned business" includes historically black colleges and universities, regardless of the percentage ownership by minority individuals or, in the case of a corporation, partnership, or limited liability company or other entity, the equity ownership interest in the corporation, partnership, or limited liability company or other entity. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB2148>

HB 2204 Line of Duty Act. (*Jones*) Revises the Line of Duty Act (the Act) by codifying revisions to the Act in the appropriation act, transferring overall administration of the Act to the Virginia Retirement System (VRS), transferring administration of health insurance benefits under the Act to the Department of Human Resource Management (DHRM), and providing for an administrative appeal process. The bill also directs VRS and DHRM, with the input of all stakeholders, to develop proposals on how to improve the Act and ensure its long-term fiscal viability. Except for the development of proposals by VRS and DHRM, the bill becomes effective July 1, 2016, and only if reenacted by the 2016 Session of the General Assembly. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb2204&submit=GO>

HOUSE RESOLUTIONS/JOINT RESOLUTIONS

HJ 557 Study; JLARC to study Department of Veterans Services; report. (*O'Bannon*) Directs the Joint Legislative Audit and Review Commission to study the Department of Veterans Services, including, among other things, the review of programs administered by the Department's agencies and other issues related to the provision of services to veterans.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HJ557>

HJ 600 Sexual Assault Awareness Month. (*Kory*) Designates the month of April, in 2015 and in each succeeding year, as Sexual Assault Awareness Month in Virginia.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HJ600>

SENATE BILLS

SB 717 Board of Health; medical school scholarships. (*Stanley*) Expands eligibility for the medical school scholarship program administered by the Board of Health for medical students who agree to practice in underserved areas of the Commonwealth to include students of any accredited medical school in the United States. Under current law, only students who attend medical schools in Virginia are eligible for the scholarship program.
<http://lis.virginia.gov/cgibin/legp604.exe?ses=151&typ=bil&val=sb717&submit=GO>

SB 813 Virginia Retirement System; technical amendments. (*Watkins*) Makes technical amendments to the programs administered by the Virginia Retirement System.
<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=sb813>

SB 846 Recipients of public assistance; access to financial literacy courses. (*Stanley*) Directs the Department of Social Services, in consultation with the Virginia Employment Commission and Virginia Community College System, to develop and implement a plan under which citizens receiving public assistance will be provided information on free financial literacy courses. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB846>

SB 885 Department of Small Business and Supplier Diversity; definition of small business. (*Petersen*) Changes the definition of small business to require the business, together with affiliates, to have 250 or fewer employees and average annual gross receipts of \$10 million or less averaged over the previous three years. Currently, a small business is required to meet one or the other of these conditions. This bill is a recommendation of the General Laws Special Joint Subcommittee Studying the Virginia Public Procurement Act.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB885>

SB 933 Individual income tax subtraction; discharge of student loan. Establishes beginning January 1, 2015, an individual income tax subtraction for income attributable to the discharge of a student loan solely by reason of the student's death. This bill is identical to HB 1716. <https://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB933>

SB 969 Virginia Freedom of Information Act (FOIA); exception to open meeting requirements. (*Ruff*) Clarifies that the gathering or attendance of two or more members of a public body (i) at any place or function where no part of the purpose of such gathering or attendance is the discussion or transaction of any public business, and such gathering or attendance was not called or prearranged with any purpose of discussing or transacting any business of the public body, or (ii) at a public forum, candidate appearance, or debate, the purpose of which is to inform the electorate and not to transact public business or to hold discussions relating to the transaction of public business, even though the performance of the members individually or collectively in the conduct of public business may be a topic of discussion or debate at such public meeting, is not a meeting under FOIA. The bill contains a technical amendment.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB969>

SB 1038 Investment in research and technology. (*Hanger*) Makes changes to the Commonwealth Research Commercialization Fund (CRCF), including adding a federal research facility located in the Commonwealth to the list of entities eligible to apply for a grant, and clarifies that the length of time that a business has been incorporated does not affect an entity's eligibility for an award. The bill requires that the Secretary of Technology approve the guidelines developed by the Innovation and Entrepreneurship Investment Authority (IEIA) for the administration of the CRCF. The bill also transfers the authority to appoint members to the Research and Technology Investment Advisory Committee from the IEIA to the Governor and streamlines membership criteria.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1038>

SB 1121 IT responsibility of agency directors. (*Barker*) Provides that the director of every department in the executive branch of state government shall be responsible for securing the electronic data held by his department and shall comply with the requirements of the Commonwealth's information technology security and risk management program as developed by the Chief Information Officer. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1121>

SB 1133 Prohibited conduct by state and local government officers and employees; retaliation. (*Garrett*) Prohibits a state or local government officer or employee from using his public position to retaliate or threaten retaliation against any person for expressing views on matters of public concern or for exercising any right that is otherwise protected by law.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1133>

SB 1226 Virginia Public Procurement Act; requirements for Requests for Proposal. (*Reeves*) Provides that Requests for Proposal include the specifics of any scoring system to be used and indicate the weight that will be given to individual components of a proposal.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1226>

SB 1301 Limitations on use of drone aircraft; penalties. (*McEachin*) Creates a Class 1 misdemeanor for the operation, manufacture, sale, or distribution of an unmanned aircraft system (drone) as a weapon or to deliver a weapon. The bill provides that no governmental

agency or organization having jurisdiction over criminal or regulatory violations, including the Department of State Police, nor any local law-enforcement department, may procure a public unmanned aircraft system (drone aircraft) without the approval of the General Assembly or the local governing body, respectively. The bill requires a warrant for governmental use of such an aircraft. Law-enforcement officers and other public officials may operate a public unmanned aircraft system and disclose personal information from such operation under certain emergency situations without a warrant. The bill also provides that it is not unlawful for a public institution of higher education or other research organizations and institutions to operate a drone aircraft solely for research and development purposes. The bill contains extensive procedural guarantees against the release of personal information and establishes reporting requirements by agencies and courts with respect to use of and data collected by such aircraft. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1301>

SB 1333 Virginia Public Procurement Act; small, women-owned, and minority-owned businesses. (*Alexander*) Defines "historically black colleges and universities" and provides that the term "minority-owned business" includes historically black colleges and universities, regardless of the percentage ownership by minority individuals or, in the case of a corporation, partnership, or limited liability company or other entity, the equity ownership interest in the corporation, partnership, or limited liability company or other entity. This bill is identical to [HB 2148](#).

<https://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1333>

SENATE RESOLUTIONS/JOINT RESOLUTIONS

SJ 243 Study; JLARC to study Department of Veterans Services; report. (*Dance*) Directs the Joint Legislative Audit and Review Commission to study the Department of Veterans Services, including, among other things, the review of programs administered by the Department's agencies and other issues related to the provision of services to veterans.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SJ243>

SJ 245 Sexual Assault Awareness Month. (*Favola*) Designates the month of April, in 2015 and in each succeeding year, as Sexual Assault Awareness Month in Virginia.

<https://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SJ245>

FAILED
HIGHER ED SPECIFIC / RELATED

HOUSE BILLS

HB 1314 Student eligibility for in-state tuition at public institutions of higher education; state subsidy. *(Davis)* Requires the General Assembly, in the event that it amends any provision of law to increase the number of students who are eligible for in-state tuition at public institutions of higher education despite not being domiciled in the Commonwealth pursuant to § 23-7.4, to (i) reimburse each institution in an amount equal to the difference between the in-state tuition rate and out-of-state tuition rate for each student who becomes eligible as a result of the amendments and (ii) fund the educational and general programs of each institution at a level equal to or greater than the highest level of funding for educational and general programs in the preceding three years.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb1314>

HB 1321 Public institutions of higher education; student right to representation at proceedings for the violation of institution's policies for the conduct of students. *(Morris)* Provides that any student enrolled at a public institution of higher education who is alleged to have committed an offense punishable by a suspension of more than 10 days or by expulsion pursuant to the institution's policies for the conduct of students has the right to be represented, in his discretion and at his expense, by a licensed attorney or a nonattorney advocate for the duration of any disciplinary proceeding or other institutional proceeding regarding the alleged offense. The bill excepts students enrolled at Virginia Military Institute from such right to representation.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb1321>

HB 1322 Public institutions of higher education; officially recognized student organizations; right to representation at proceedings for the violation of institution's policies for the conduct of students. *(Morris)* Provides that any student organization that is officially recognized by a public institution of higher education and that is alleged to have violated the institution's policies for the conduct of students has the right to be represented, in its discretion and at its expense, by a licensed attorney or a nonattorney advocate for the duration of any disciplinary proceeding or other institutional proceeding regarding the alleged violation. The bill excepts officially recognized student organizations at Virginia Military Institute from such right to representation.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb1322>

HB 1323 Students and officially recognized student organizations; proceedings for the violation of institution's policies for the conduct of students; petition for review. *(Morris)* Provides that any (i) student who, as a result of any disciplinary proceeding or other institutional proceeding, is suspended for more than 10 days or expelled from a public institution of higher education for violating the institution's policies for the conduct of students or (ii) student organization that is (a) officially recognized by a public institution of higher education and (b) found to be in violation of the institution's policies for the conduct of students

as a result of any disciplinary proceeding or other institutional proceeding has the right to petition for review of the institution's final decision in the circuit court for the locality in which the relevant institution is located. The bill requires the circuit court to determine whether the final decision was arbitrary, capricious, or otherwise contrary to the law and award successful petitioners certain damages and other forms of relief. The bill excepts students and officially recognized student organizations at Virginia Military Institute from such right to petition for review. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb1323>

HB 1343 Campus police departments; sexual assault reporting. (*Filler-Corn*) Requires that mutual aid agreements between campus police force and law-enforcement agencies contain provisions requiring either the campus police force or an agency with which it has established a mutual aid agreement to notify the local attorney for the Commonwealth of any investigation involving felony criminal sexual assault occurring on property owned or controlled by the institution of higher education within 48 hours of beginning such investigation. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1343>

HB 1356 In-state tuition; students granted Temporary Protected Status and Deferred Action for Childhood Arrivals. (*Ramadan*) Declares that absent congressional intent to the contrary, any person granted Temporary Protected Status or Deferred Action for Childhood Arrivals by U.S. Citizenship and Immigration Services does not have the capacity to intend to remain in Virginia indefinitely and, therefore, is ineligible for Virginia domicile and for in-state tuition charges at public institutions of higher education in the Commonwealth. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1356>

HB 1380 Four-year public institutions of higher education; dual enrollment programs. (*Farrell*) Permits four-year public institutions of higher education to offer at a public high school through a dual enrollment program courses similar to those offered by the comprehensive community college that serves the area when such community college is unable to offer its courses at the public high school despite good faith negotiations with the appropriate school board employees. The bill also removes obsolete provisions about extension programs and facilities for such programs. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1380>

HB 1389 Educational institution; prohibition on regulating concealed handguns. (*Berg*) Prohibits any public institution of higher education from adopting or enforcing any rule, regulation, or policy prohibiting or limiting the carrying of a concealed handgun on property owned or operated by the institution by any person entitled to carry a concealed handgun. The bill also provides that any rule, regulation, or policy adopted prior to July 1, 2015, prohibiting or limiting the carrying of a concealed handgun is invalid. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1389>

HB 1411 Possession of concealed handguns; faculty members at public institutions of higher education. Allows full-time faculty members of public institutions of higher education who possess a valid Virginia concealed handgun permit to carry a concealed handgun on campus. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1411>

HB 1478 In-state tuition; students granted Deferred Action for Childhood Arrivals. *(Kory)* Declares that absent congressional intent to the contrary, any person granted Deferred Action for Childhood Arrivals by U.S. Citizenship and Immigration Services has the capacity to intend to remain in Virginia indefinitely and, therefore, is eligible for Virginia domicile and for in-state tuition charges at public institutions of higher education in the Commonwealth.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1478>

HB 1481 Alcoholic beverage control; farm wine produced by educational institutions exclusively for research and educational purposes; permit required. *(Rush)* Authorizes the Virginia Alcoholic Beverage Control (ABC) Board to grant permits to any accredited public or private institution of higher education to operate a farm winery under certain conditions. The bill requires the ABC Board to adopt regulations concerning the requirements for this permit, including that such institutions (i) not sell the wine so manufactured or otherwise use the wine for any other purpose except for research and educational purposes and (ii) store the wine on premises of the farm winery that are separate and apart from all other facilities of the institution.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1481>

HB 1495 Voter identification; accepted forms of identification. *(Sullivan)* Adds to the list of acceptable forms of voter identification a valid student photo identification card issued by any institution of higher education located in any other state or territory of the United States. Current law allows students from any institution of higher education located in the Commonwealth to use their student photo identification cards for purposes of voting.
<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb1495>

HB 1508 Institutions of higher education; sexual assault; memorandum of understanding and policies. *(Sullivan)* Requires the governing board of each public or private institution of higher education to (i) establish a written memorandum of understanding with a local sexual assault crisis center or other victim support service and (ii) adopt policies that mandate the referral of a sexual assault victim to the sexual assault crisis center, provide clear guidance on linking victims to other community resources, provide options for victims who do not want to make an official report to make an anonymous report, and provide amnesty for victims who are concerned that an official report might jeopardize their academic status.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1508>

HB 1683 Institutions of higher education; liaison; criminal sexual assault and crimes resulting in serious bodily injury. *(Herring)* Requires each institution of higher education to designate one employee to serve as the institution's liaison to the local department of social services and local law-enforcement agency to coordinate (i) a response to any crime resulting in serious bodily injury to a student or any criminal sexual assault committed against a student and (ii) access to programs for the victims of such crimes.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1683>

HB 1692 Four-year public institutions of higher education; alternative tuition or fee structures. *(Rush)* Permits a four-year public institution of higher education, with the approval

of the State Council of Higher Education for Virginia (Council), to offer alternative tuition or fee structures, including discounted tuition, four-year flat tuition rates, discounted student fees, or student fee and student services flexibility, to any Virginia-domiciled, first-time, incoming freshman undergraduate student who enrolls full time with the intent to earn a degree in a program that leads to employment in a high-demand field in the region, according to guidelines established by the Council. Such an alternative tuition or fee structure may be renewed each year if the recipient maintains continuous full-time enrollment. The bill requires such student to pay to the institution as a financial obligation the financial benefits of the alternative tuition or fee structure if he fails to maintain continuous full-time enrollment, subsequently enrolls in an ineligible degree program, or fails to complete the eligible degree program within four years. The bill requires each student who receives the benefits of an alternative tuition or fee structure to count one and a half times for the purpose of (i) targeted economic and innovation incentives pursuant to subdivision 3 of § 23-38.87:16, (ii) the base adequacy funding guidelines adopted and periodically updated by the Joint Subcommittee Studying Higher Education Funding Policies, or (iii) biennial assessments of institutional performance as set forth in Part 4 of the general appropriation act and consistent with § 23-9.6:1.01.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1692>

HB 1722 Virginia Freedom of Information Act; working papers and correspondence exemptions for university presidents. (*Ramadan*) Eliminates the working paper and correspondence record exemption for the president or other chief executive officer of any public institution of higher education in Virginia.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1722>

HB 1786 Higher education; reporting of sexual assault; penalty. (*Massie*) Requires any administrator or professor employed by a public institution of higher education, except the institution's Title IX coordinator, who through the course of his employment obtains information alleging that a criminal sexual assault has occurred to report within 24 hours such information to law enforcement. The bill provides that a person in violation of the reporting requirement is guilty of a Class 1 misdemeanor.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1786>

HB 1788 Public institutions of higher education; six-year plans; frequency. (*Massie*) Changes from biennial to annual the requirement for the governing board of each public institution of higher education to develop, adopt, and submit a six-year plan for the institution. The bill also requires each institution to submit a report on its progress toward meeting the goals of its plan. The bill adds the chairs of the House Committee on Education and the Senate Committee on Education and Health to the list of plan and progress report recipients.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1788>

HB 1888 Academic transcripts; suspension or permanent dismissal from institution. (*Jones*) Requires the registrar of each public institution of higher education and certain private institutions of education, or the other employee, office, or department of the institution that is responsible for maintaining student academic records, to include a prominent notation on the transcript of each student who has been suspended or permanently dismissed

from the institution for a violation of the institution's code, rules, or set of standards governing the conduct of students. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1888>

HB 1895 Additional financial and administrative authority for certain public institutions of higher education. *(Cox)* Permits the board of visitors or other governing body of any public institution of higher education that has entered into and successfully renewed a memorandum of understanding with the appropriate Cabinet Secretary or Secretaries to exercise, with some variation, (i) additional authority in the functional areas of information technology, procurement, and capital projects and (ii) the financial operational authority of covered institutions that have entered into management agreements. Under current law, such boards of visitors and governing bodies are limited to exercising authority in two of the three functional areas of information technology, procurement, and capital projects. The bill also describes the conditions for renewal and revocation of such authority and requires the accounts of each institution granted such authority to be audited by the Auditor of Public Accounts. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1895>

HB 1896 Virginia Guaranteed Assistance Program; grants. *(Cox)* Makes several changes to the Virginia Guaranteed Assistance Program (Program), including adding requirements that (i) each student eligible for the Program receive an award from the institution's appropriations for undergraduate student financial assistance before grants are awarded to students with equivalent remaining need, (ii) each eligible student receive an award in an amount greater than other grants awarded to students with equivalent remaining need, (iii) each eligible student receive a Program award in an amount greater than the award of each eligible student with equivalent remaining need in the next-lowest class level, and (iv) each Program award be determined by a proportionate award schedule adopted by each institution and vary according to each student's remaining need and the total of tuition, fees, and other necessary charges, including books. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1896>

HB 2102 Public institutions of higher education; sexual misconduct policies. *(Hester)* Requires each public institution of higher education to update its sexual misconduct policy by September 30, 2015. The bill requires the State Council of Higher Education to approve or disapprove the updated policies and to oversee the updating process. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB2102>

HB 2110 Scholarships for military dependents, spouses, and surviving spouses. *(Futrell)* Establishes the Dependent Student, Spouse and Surviving Spouse, and Spouse of Disabled Veteran Scholarship Programs and permits the Virginia Department of Veterans Services to award renewable scholarships for the full amount of tuition, fees, and books to each dependent or non-dependent student who meets certain criteria and whose parent or spouse, while serving in active duty during military operations, died, disappeared, was imprisoned, or became disabled under certain circumstances. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB2110>

HB 2121 In-state tuition; members of the Virginia National Guard. (*Mason*) Provides that any member of the Virginia National Guard residing in Virginia shall be eligible for in-state tuition at a public institution of higher education.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB2121>

HB 2122 Higher education; in-state tuition. (*Mason*) Requires a public institution of higher education to grant a student in-state tuition if participation in a federal educational assistance program is conditioned on such student receiving in-state tuition.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB2122>

HB 2132 State Board for Community Colleges; policy for the award of academic credit for military training. (*Mason*) Requires the State Board for Community Colleges to adopt, no later than December 31, 2015, a policy for the award of academic credit to any student enrolled at a comprehensive community college who has successfully completed a military training course or program as part of his military service that is applicable to the student's certificate of degree requirements and is recommended for academic credit by a national higher education association that provides academic credit recommendations for military training courses or programs, noted on the student's military transcript issued by any of the armed forces of the United States, or otherwise documented in writing by any of the armed forces of the United States.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB2132>

HB 2134 Public institutions of higher education; admission and enrollment of students domiciled in Virginia. (*Ramadan*) Requires the board of visitors or other governing body of each public institution of higher education, except for the Virginia Military Institute, Norfolk State University, and Virginia State University, to establish policies requiring that at least 75 percent of students admitted to and enrolled at the institution be domiciled in Virginia. The bill requires each board of visitors or governing board to recover any lost revenue caused by this requirement by increasing the tuition charged to out-of-state students.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB2134>

HB 2139 Institutions of higher education; reporting of felony criminal sexual assault; academic transcript hold. (*Toscano*) Requires (i) any administrator employed by an institution of higher education, except in the case of administrators employed by the University of Virginia at the University of Virginia Medical Center, who through the course of his employment obtains information alleging that a felony criminal sexual assault has been committed by or against an enrolled student to report within 24 hours such information to the local law-enforcement agency and (ii) any campus police officer employed by an institution of higher education who through the course of his employment obtains information alleging that a felony criminal sexual assault has been committed by or against an enrolled student to report within 24 hours such information to the local attorney for the Commonwealth. The bill requires the State Council of Higher Education for Virginia, in conjunction with the Office of the Attorney General, to develop guidelines that delineate the extent to which state and federal privacy laws limit the reporting requirements of the bill. The bill also requires that the registrar of each institution of higher education or the other employee, office, or department of the institution that is responsible for maintaining student academic records shall place a hold on the academic

transcript of each student who is alleged to have committed a felony criminal sexual assault until such time as the institution deems it appropriate to release such hold.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB2139>

HB 2187 Virginia Guaranteed Assistance Program; funding allocation. (*Kory*) Requires funding for the Virginia Guaranteed Assistance Program to be allocated across institutions such that each institution is able to meet an equal percentage of the total demonstrated financial need of student recipients based on the Partnership Model adopted by the State Council of Higher Education for Virginia.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB2187>

HB 2201 Academic transcripts; documentation of dismissal. (*Toscano*) Requires public institutions of higher education to document the dismissal of any student who has been dismissed for violation of the institution's sexual misconduct policy, student code of conduct, or institution's honor code on such student's academic transcript.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB2201>

HOUSE RESOLUTIONS/JOINT RESOLUTIONS

HJ 501 Study; JLARC; reorganization of law-enforcement agencies; report. (*Landes*) Directs the Joint Legislative Audit and Review Commission to study reorganizing all or some state law-enforcement functions under the Department of State Police. (Includes institutions of higher education.)

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hj501&submit=GO>

HJ 536 Constitutional amendment (first resolution); Lottery Proceeds Fund.

(*Lingamfelter*) Allows lottery proceeds to be appropriated from the Lottery Proceeds Fund to public institutions of higher education for purposes of providing education and employment training for veterans who have been honorably discharged from an active or reserve component of the United States armed forces or the Virginia National Guard and who are domiciled in the Commonwealth.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HJ536>

HJ 558 SCHEV; analysis of teacher shortage; report. (*Oroock*) Requires the State Council of Higher Education for Virginia to analyze the teacher shortage in the Commonwealth in consultation with the Virginia Community College System, the Department of Education, and the Virginia School Boards Association. The Council is required to examine the causes of the teacher shortage in general, as well as shortages within specific teaching endorsement areas, and to develop strategies to mitigate such shortages.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HJ558>

HJ 603 Study; prevention of sexual violence on the campuses of public and private institutions of higher education in the Commonwealth; report. (*Knight*) Establishes a joint subcommittee to study the prevention of sexual violence on college campuses in Virginia. In conducting its study, the joint subcommittee must (i) ascertain the breadth of the problem of

sexual violence on public and private college campuses in the Commonwealth; (ii) review all relevant state a federal laws, regulations, and policies to identify appropriate ways in which sexual violence may be abated; (iii) assess the policies, process, and procedures for reporting crimes of sexual violence used by colleges and universities in the Commonwealth; (iv) determine whether any institutions of higher education in the Commonwealth have pending U.S. Department of Education Office for Civil Rights investigations for the manner in which allegations and reports of sexual violence have been managed; (v) collaborate with other local, state, federal, college, and community advocates and police departments and entities to address the problem throughout the Commonwealth's higher education and criminal justice systems and among parents and students; (vi) make recommendations to ensure safe college and university campuses throughout the Commonwealth; and (vii) carry out any other duties the joint subcommittee deems proper to facilitate the study. The joint subcommittee must submit its report to the Governor and the 2016 Session of the General Assembly.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HJ603>

SENATE BILLS

SB 722 In-state tuition; students granted Temporary Protected Status, Deferred Action for Childhood Arrivals, and Deferred Action for Parental Accountability. (*Black*) Declares that absent congressional intent to the contrary, any person granted Temporary Protected Status, Deferred Action for Childhood Arrivals, or Deferred Action for Parental Accountability by U.S. Citizenship and Immigration Services does not have the capacity to intend to remain in Virginia indefinitely and, therefore, is ineligible for Virginia domicile and for in-state tuition charges at public institutions of higher education in the Commonwealth.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB722>

SB 734 Higher education; reporting of sexual assault; penalty. (*Saslaw*) Requires any administrator or professor employed by a public institution of higher education who through the course of his employment obtains information alleging that a criminal sexual assault has occurred to report within 24 hours such information to law enforcement. The bill provides that a person in violation of the reporting requirement is guilty of a Class 1 misdemeanor.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB734>

SB 806 Public institutions of higher education; fixed four-year tuition rate. (*Stanley*) Requires the board of visitors of four-year public institutions of higher education to prospectively fix the cost of tuition, room and board, and other mandatory fees for incoming Virginia freshman undergraduate 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; (ii) a class rate is annually established, in accordance with any requirements set forth in the appropriation act; (iii) rules are clearly established to address the eligibility of freshman undergraduate students, 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) information is disseminated to all students

applying to the relevant institution that clearly and concisely explains program eligibility and costs. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB806>

SB 849 Community colleges; enrollment policies. (*Stanley*) Requires the State Board for Community Colleges to develop policies directing community colleges to offer any open seat in any career or technical education course that is not at full capacity to (i) students enrolled in public high schools that are located in the region served by the community college and (ii) individuals who (a) reside in the region served by the community college, (b) are unemployed at the time of enrollment or have an annual household income that does not exceed 100 percent of the federal poverty level, and (c) have registered for job services with the Virginia Workforce Connection.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB849>

SB 893 Virginia Freedom of Information Act; working papers and correspondence exemptions for university presidents. (*Petersen*) Eliminates the working paper and correspondence record exemption for the president or other chief executive officer of any public institution of higher education in Virginia.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB893>

SB 971 Community colleges; workforce training. (*Ruff*) Establishes the Community College Workforce Training Grant Program to provide a \$1,000 incentive payment to a community college for each student who (i) has successfully completed a noncredit workforce training program at the community college and (ii) subsequently obtains an industry-recognized certification or license in a high employer demand field in the region served by the community college, with such fields to be identified by the State Board for Community Colleges.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB971>

SB 981 Institutions of higher education; sexual assault; memorandum of understanding and policies. (*Favola*) Requires the governing board of each public or private institution of higher education to (i) establish a written memorandum of understanding with a local sexual assault crisis center or other victim support service and (ii) adopt policies that require the institution to offer to refer the sexual assault victim to the sexual assault crisis center, encourage victims to take steps to preserve physical evidence, provide clear guidance on linking victims to other community resources, provide options for victims who do not want to make an official report to make an anonymous report, and provide amnesty for victims who fear their conduct may also be questioned or who are concerned that an official report might jeopardize their academic status. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB981>

SB 983 Four-year public institutions of higher education; dual enrollment programs. (*Garrett*) Permits four-year public institutions of higher education to offer at a public high school through a dual enrollment program courses similar to those offered by the comprehensive community college that serves the area when such community college is unable to offer its courses at the public high school despite good faith negotiations with the appropriate school board employees. The bill also removes obsolete provisions about extension programs and facilities for such programs.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB983>

SB 992 State Board for Community Colleges; policy for the award of academic credit for military training. (*Dance*) Requires the State Board for Community Colleges to adopt, no later than December 31, 2015, a policy for the award of academic credit to any student enrolled at a comprehensive community college who has successfully completed a military training course or program as part of his military service that is applicable to the student's certificate of degree requirements and is recommended for academic credit by a national higher education association that provides academic credit recommendations for military training courses or programs, noted on the student's military transcript issued by any of the armed forces of the United States, or otherwise documented in writing by any of the armed forces of the United States. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB992>

SB 1183 Public institutions of higher education; fixed four-year tuition rate. (*McWaters*) Requires the board of visitors of four-year public institutions of higher education to prospectively fix the cost of tuition, room and board, and other mandatory fees for incoming in-state freshman undergraduate 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; (ii) an in-state class rate is annually established, in accordance with any requirements set forth in the appropriation act; (iii) rules are clearly established to address the eligibility of in-state freshman undergraduate students and any unforeseen circumstances that may require eligible students to take a leave of absence from the institution; and (iv) information is disseminated to all in-state students applying to the relevant institution that clearly and concisely explains program eligibility and costs. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1183>

SB 1192 Institutions of higher education; sexual misconduct policies. (*Norment*) Requires the governing boards of public and private institutions of higher education to adopt a sexual misconduct policy that addresses incidents of sexual misconduct involving any person or student organization associated with the institution whether occurring on or off campus. The policies must include requirements for the institution to report certain sexual misconduct incidents to local law enforcement. Institutions that fail to comply with the policy requirements (i) in the case of public institutions, are subject to a 10 percent reduction in general funds and (ii) in the case of private institutions, are ineligible to receive Tuition Assistance Grants. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1192>

SB 1209 Grants for earning workforce training credentials; New Economy Industry Credential Assistance Training Grants. (*Wagner*) Establishes a grant program that would pay grants to certain individuals successfully completing a noncredit workforce training program and earning the related credential in a high-demand field. The grant, up to a total of \$1,000, would be limited to payment of tuition charged for the training program, the cost of any required textbooks, and the cost of any examination required to earn the credential. Individuals (i) enrolled in a public or private high school and participating in a dual enrollment program or (ii) not enrolled in a public or private middle or high school would be eligible for the grant. The noncredit workforce training program must be provided or sponsored by (i) a Virginia community college, (ii) a private institution certified to operate in Virginia by the State Council of Higher Education for Virginia (SCHEV) that has elected to participate in the grant program, or (iii) the Institute for Advanced Learning and Research, New College Institute, Roanoke

Higher Education Center, Southern Virginia Higher Education Center, Southwest Virginia Higher Education Center, or Eastern Virginia Medical School. Individuals would apply for grants directly to the school that provided or sponsored the workforce training program. The Virginia Board of Workforce Development would maintain a list of high-demand fields and the related credentials on its website. The amount of grants available each year for the program would be determined by the general appropriation act. The bill has a delayed effective date of January 1, 2016. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1209>

SB 1252 Higher education; reporting of sexual assault; penalty. (*Deeds*) Requires any employee of a public institution of higher education who through the course of his employment obtains information alleging a criminal sexual assault has occurred to report within 24 hours such information to law enforcement. The bill provides that a person in violation of the reporting requirement is guilty of a Class 1 misdemeanor. The bill also requires the State Council of Higher Education for Virginia, in conjunction with the Office of the Attorney General, to develop guidelines that delineate the extent to which state and federal privacy laws limit the reporting requirements of the bill.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1252>

SB 1275 Institutions of higher education; reporting of sexual assault to DCJS. (*Barker*) Requires each public or private institution of higher education that has obtained any information alleging that a felony sexual assault involving a student has occurred to report such information to the Department of Criminal Justice Services.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1275>

SB 1326 Academic transcripts; documentation of dismissal. (*Deeds*) Requires public institutions of higher education to document the dismissal of any student who has been dismissed for violation of the institution's sexual misconduct policy, student code of conduct, or institution's honor code on such student's academic transcript.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1326>

SB 1327 Higher education; in-state tuition. (*Reeves*) Requires a public institution of higher education to grant a student in-state tuition if participation in a federal educational assistance program is conditioned on such student receiving in-state tuition.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1327>

SB 1329 Institutions of higher education; sexual assault; memorandum of understanding and policies. (*Garrett*) Requires the governing board of each public or private institution of higher education to (i) establish a written memorandum of understanding with a local sexual assault crisis center or other victim support service and (ii) adopt policies that require the institution to offer to refer the sexual assault victim to the sexual assault crisis center, encourage victims to take steps to preserve physical evidence, provide clear guidance on linking victims to other community resources, provide options for victims who do not want to make an official report to make an anonymous report, and provide amnesty for victims who fear their conduct may also be questioned or who are concerned that an official report might jeopardize their academic status. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1329>

SENATE RESOLUTIONS/JOINT RESOLUTIONS

SJ 277 Study; SCHEV; Pay It Forward, Pay It Back; report. (*Edwards*) Directs the State Council of Higher Education for Virginia to study the feasibility of implementing a "Pay It Forward, Pay It Back" higher education tuition financing model to increase access to educational opportunities and to decrease the debt burden on students in the Commonwealth. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SJ277>

FAILED

OTHER BILLS OF INTEREST

HOUSE BILLS

HB 1278 Unemployment compensation; responsibility for benefit charges. (*Davis*) Amends provisions in the Virginia's unemployment compensation laws designating the employer responsible for benefit charges. Under current law, the last employer that employed a benefits-eligible individual for 30 days or 240 hours will be assessed benefit charges relating to such individual's benefit claim. The bill increases the amount of employment required before responsibility attaches to 60 days or 480 hours. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb1278>

HB 1305 General Assembly Conflicts of Interests Act; revolving door prohibition. (*Farrell*) Prohibits any legislator, during the one year following his termination of service as a legislator, from accepting an appointment to or employment with a governmental agency. The bill exempts appointments by the Governor to serve as a Governor's Secretary from this one-year prohibition. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb1305>

HB 1316 Virginia Retirement System; average final compensation. (*Toscano*) Provides that if an employee receives increases in compensation related to a promotion or new position in the last four years of service that exceed 400 percent of the employee's average annual compensation during the preceding three years, then the employee's service retirement allowance shall be based upon average annual compensation during the employee's final ten years of service. The provision would not apply to an employee who returns to service after at least a one year gap in service, who receives a judicial appointment, or who is elected Governor or Attorney General. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb1316>

HB 1328 Public schools; impact of student aliens not lawfully present in the US; report. (*Cole*) Requires public school principals to determine the citizenship and immigration status of each enrolled student. The bill requires the Dept of Education to report school-level data on the number of enrolled students who are United States citizens, lawfully present aliens, or aliens unlawfully present in the United States and request reimbursement from the U.S. Dept of Education for the average per pupil cost to educate students who are aliens unlawfully present in the US. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1328>

HB 1390 Regulation of firearms by state entities. (*Berg*) Prohibits any department, agency, or other entity of the Commonwealth from adopting or enforcing any rule, regulation, or policy regarding firearms or ammunition except as expressly authorized by statute. Any rule, regulation, or policy adopted prior to July 1, 2015, without express statutory authority would be invalid. The prohibition would not apply to local, state, or regional correctional facilities or facilities operated by the Department of Behavioral Health and Developmental Services.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1390>

HB 1393 Special license plates; STEM teachers and students. (*O'Bannon*) Authorizes the issuance of special license plates for science, technology, engineering, and math (STEM) teachers and students.
<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb1393>

HB 1409 Public contracts; nondiscrimination; required provisions. (*Marshall*) Prohibits agencies of the Commonwealth and other public bodies from requiring any contractor entering into a public contract to agree to additional nondiscrimination provisions that are not otherwise required under the Fair Employment Contracting Act or the Virginia Public Procurement Act.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1409>

HB 1414 Obtaining or renewing government-issued licenses, etc.; conscience clause. (*Marshall*) Provides that a person shall not be required to perform, assist, consent to, or participate in any action or refrain from performing, assisting, consenting to, or participating in any action as a condition of obtaining or renewing a government-issued license, registration, or certificate where such condition would violate the religious or moral convictions of such person with respect to same-sex marriage or homosexual behavior.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1414>

HB 1421 Workforce Development; duties of the Chief Workforce Development Advisor. (*Filler-Corn*) Requires the Chief Workforce Development Advisor to actively promote the Commonwealth's workforce development and training programs and activities through public and visible means. The bill requires outreach and promotion plans to be developed in coordination with the development of the comprehensive economic development policy required by the Secretary of Commerce and Trade. The bill also provides that funding from publicly funded workforce development programs may be utilized in promotion efforts if deemed necessary.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1421>

HB 1422 Use of premises for illegal consumption of alcohol; civil penalty. (*Head*) Allows any locality by ordinance to provide that the owner of any residence is liable for a civil penalty of \$100 for the use of the premises for the illegal consumption of alcohol, provided the owner knew or reasonably should have known that the premises was being used for this purpose.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1422>

HB 1429 Voter identification; accepted forms of identification. (*Herring*) Adds to the list of accepted forms of identification for purposes of voting valid student photo identification cards

issued by any private school located in the Commonwealth or by any public or private school or institution of higher education located in any other state or territory of the United States. Students of public high schools in Virginia are currently permitted to use their student photo identification cards for purposes of voting because current law allows the use of photo identification issued by the Commonwealth or one of its political subdivisions. Current law also allows students from public or private institutions of higher education located in the Commonwealth to use their student photo identification cards for purposes of voting.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1429>

HB 1437 Prayer at public events. *(Bell)* Provides, among other things, that a deliberative public body, by ordinance, resolution, or written policy statement, may adopt a policy to permit a public invocation before each meeting of the public body, for the benefit of the public body. The policy may allow for an invocation to be offered on a voluntary basis, at the beginning of the meeting, by (i) one of the public officials elected or appointed to the deliberative public body, so long as the opportunity for invocation duty is regularly and objectively rotated among all of that deliberative public body's public officials; (ii) a chaplain elected by the public officials of the deliberative public body; or (iii) an invocation speaker selected on an objective and rotating basis from among a wide pool of the religious leaders serving established religious congregations in the local community in which the deliberative public body meets. The bill defines deliberative body and public invocation.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1437>

HB 1449 Virginia Human Rights Act; childbirth or related medical conditions, cause of action. *(McQuinn)* Provides that no employer may discharge any employee on the basis of childbirth or related medical conditions, including lactation. Currently, the protection against discrimination on the basis of childbirth or related medical conditions applies to an employer employing more than five but fewer than 15 persons.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb1449>

HB 1453 Stalking; penalty. *(Miller)* Provides that a person who on more than one occasion engages in conduct directed at another person with the intent to coerce, intimidate, or harass, or when he knows or reasonably should know that the conduct coerces, intimidates, or harasses, the other person or the other person's family or household member is guilty of stalking, a Class 1 misdemeanor.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb1453>

HB 1479 General Assembly Conflicts of Interests Act; prohibited conduct; employment and appointments. *(Kory)* Prohibits any legislator from seeking or accepting, during the term of office for which he was elected and during the one year after the termination of his service as a legislator, an appointment to or employment with any governmental agency, except an appointment to serve as a Governor's Secretary immediately upon the termination of service as a legislator. The bill provides that a legislator may serve as court-appointed counsel.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1479>

HB 1498 Virginia Human Rights Act; public employment; prohibited discrimination; sexual orientation. *(Plum)* Prohibits discrimination in employment based on sexual

orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" does not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill also codifies existing prohibited discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill contains technical amendments.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1498>

HB 1505 Sexual offenses; prohibiting proximity to victims of the offense, penalty. *(Albo)*

Provides that any adult who is convicted of certain sex offenses on or after July 1, 2015, shall be forever prohibited from (i) knowingly having any contact with the victim of the offense and (ii) residing within 1,000 feet of the boundary line of any place he knows is the residence of the victim. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb1505&submit=GO>

HB 1512 Minimum wage. *(Simon)* Increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$15.15 per hour effective July 1, 2015, unless a higher minimum wage is required by the federal Fair Labor Standards Act. The \$15.15 rate shall be adjusted annually thereafter to reflect increases in the consumer price index. The measure also eliminates provisions that address determinations of the wages of tipped employees.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1512>

HB 1520 Duties of sheriffs, local police, and State Police. *(Lindsey)* Requires sheriffs, local police forces, and the State Police to transport and provide security for government officials, members of civic organizations, and other dignitaries.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb1520>

HB 1521 Use of body-worn camera system by law enforcement. *(Lindsey)* **Use of body-worn camera system by law enforcement.** Provides that any sheriff who is the chief law-enforcement officer of his locality and employs 100 or more deputies, any police force that employs 100 or more officers, and the Superintendent of State Police shall, no later than January 1, 2018, implement and operate a body-worn camera system, which is defined in the bill as an electronic system for creating, generating, sending, receiving, storing, displaying, and processing audiovisual recordings, including cameras or other devices capable of creating such recordings, that may be worn about the person of a law-enforcement officer. Such a system must comply with the model policy or guideline that will be established by the Department of Criminal Justice Services.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hb1521>

HB 1528 Government Data Collection and Dissemination Practices Act; limitation on collection and use of personal information by law enforcement; penalty. *(Berg)* Limits the ability of law-enforcement and regulatory agencies to use technology to collect and maintain personal information on individuals and organizations where a warrant has not been issued and there is no reasonable suspicion of criminal activity by the individual or organization. The bill codifies an opinion of the Attorney General regarding the Government Data Collection and Dissemination Practices Act. The bill also allows a law-enforcement agency to collect

information from a license plate reader provided that any information collected shall only be retained for 24 hours and shall only be used for the investigation of a crime or a report of a missing person. The bill provides that any person who sells or uses information collected from a license plate reader by a law-enforcement agency in any unauthorized manner is guilty of a Class 6 felony. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1528>

HB 1534 Use of body-worn camera system by the Department of State Police. *(Lindsey)*
Use of body-worn camera system by law enforcement. Provides that any sheriff who is the chief law-enforcement officer of his locality and employs 100 or more deputies, any police force that employs 100 or more officers, and the Superintendent of State Police shall, no later than January 1, 2018, implement and operate a body-worn camera system, which is defined in the bill as an electronic system for creating, generating, sending, receiving, storing, displaying, and processing audiovisual recordings, including cameras or other devices capable of creating such recordings, that may be worn about the person of a law-enforcement officer. Such a system must comply with the model policy or guideline that will be established by the Department of Criminal Justice Services.

<http://lis.virginia.gov/cgibin/legp604.exe?ses=151&typ=bil&val=hb1534&submit=GO>

HB 1540 Virginia Public Procurement Act (VPPA); methods of procurement; job order contracting and cooperative procurement. *(Albo)* Clarifies that small purchase procedures include the procurement of construction and that any such procedures shall not waive compliance with the Uniform State Building Code. The bill also increases contract amounts for job order contracting and provides that (i) order splitting with the intent of keeping a job order under the maximum dollar amounts prescribed is prohibited, (ii) no public body shall issue or use a job order solely for the purpose of providing professional architectural or engineering services that constitute the practice of architecture or the practice of engineering; however, professional architectural or engineering services may be included on a job order where such professional services are (a) incidental and directly related to the job and (b) no more than 25 percent of the construction cost, not to exceed \$60,000, and (iii) job order contracting shall not be used for construction, maintenance, or asset management services for a highway, bridge, tunnel, or overpass. The bill removes the provision that allows a public body to discuss nonbinding estimates of total project costs, life-cycle costing, and, where appropriate, nonbinding estimates of price for services. The bill provides that negotiations may be held on proposed terms and conditions set out in the Request for Proposal. The bill also clarifies the provisions of the VPPA related to cooperative procurement and requires that by October 1, 2017, the Department of Small Business and Supplier Diversity; public institutions of higher education having level 2 or 3 authority under the Restructured Higher Education Financial and Administrative Operations Act of 2005; any state agency utilizing job order contracting; and the Virginia Association of Counties, the Virginia Municipal League, and the Virginia Association of Governmental Purchasing, on behalf of local public bodies working cooperatively, report their respective experiences and findings relating to (1) the appropriateness and effectiveness of job order contracting in general, (2) the project cost limitations set forth in subsections B and D of § 2.2-4303.1 as added by this bill, and (3) the architectural and professional engineering term contract limits set forth in § 2.2-4303.1 to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology. The bill further provides that its provisions shall not apply to any solicitation issued or contract awarded before July 1, 2015,

except that the provisions of subsection B of § 2.2-4303.2, as added by this bill, shall apply to any renewal of a job order contract. The bill contains numerous technical amendments.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1540>

HB 1595 Dept of General Services; Alternative Fuel Vehicle Conversion Grant Fund. *(Taylor)* Converts the Alternative Fuel Vehicle Conversion Fund into a grant fund for purposes of providing grants to assist agencies of the Commonwealth with the incremental cost of state-owned alternative fuel vehicles. The grant fund will also assist local government and agencies thereof and local school divisions with the incremental cost of such local government-owned alternative fuel vehicles. The bill provides that (i) grants from the Fund shall be awarded on a first-come, first-served basis, and in the event the amount of grants requested in a fiscal year exceeds the funds available in the Fund, such grants shall be paid in the next fiscal year in which funds are available, and (ii) no single grant from the Fund shall exceed \$1 million.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1595>

HB 1598 State and Local Government Conflict of Interests Act, General Assembly Conflicts of Interests Act; prohibited gifts; civil penalty. *(Watts)* Provides that, for purposes of the prohibition against acceptance of certain items that reasonably tend to influence official duties, any money, loan, gift, favor, service, or business or professional opportunity that is accepted by a member of the immediate family of an officer or employee of a state or local governmental or advisory agency or a member of the General Assembly shall be considered to have been accepted by the officer, employee, or member of the General Assembly if (i) such money, loan, gift, favor, service, or business or professional opportunity was accepted or retained with his knowledge and acquiescence, and (ii) he knows or has reason to know that such money, loan, gift, favor, service, or business or professional opportunity was given to the member of his immediate family because of his official position. First violations of this provision are subject to the existing penalties of § 2.2-3124 and § 30-126, while a second or subsequent violation within a calendar year is subject to a civil penalty of no less than \$2,

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1598>

HB 1643 Virginia Human Rights Act; public employment; prohibited discrimination; sexual orientation. *(Stolle)* Prohibits discrimination in employment based on sexual orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" does not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill also codifies existing prohibited discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill contains technical amendments.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1643>

HB 1646 Virginia Freedom of Information Act; proceeding for enforcement. *(Pogge)* Provides that in an enforcement action, if the court finds the public body violated certain meeting notice requirements, the court may invalidate any action of the public body taken at such meeting. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1646>

HB 1654 Minimum wage. (*Plum*) Increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$8.00 per hour effective July 1, 2015, to \$9.00 per hour effective July 1, 2016, and to \$10.00 per hour effective July 1, 2017, unless a higher minimum wage is required by the federal Fair Labor Standards Act (FLSA).

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1654>

HB 1659 Virginia Retirement System benefits. (*Rust*) Provides for an increase, beginning July 1, 2015, of the monthly retirement allowance payable to any person who retired with at least 15 years of creditable service before January 1, 1990, under the Virginia Retirement System or the State Police Officers' Retirement System.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1659>

HB 1667 State and Local Government Conflict of Interests Act and the General Assembly Conflicts of Interests Act; certain gifts prohibited; penalties. (*Bulova*) Prohibits state and local government officers and employees and legislators and candidates for the General Assembly required to file the disclosure form prescribed in § 2.2-3117 or 30-111 from soliciting, accepting, or receiving any single tangible or intangible gift, or any combination of tangible or intangible gifts, with a value exceeding \$100 from any person. For purposes of the prohibition and the disclosure requirements, such gift or gifts given to a member of the immediate family of an officer, employee, legislator, or candidate shall be considered a gift or gifts to the officer, employee, legislator, or candidate if (i) the gift was given with his knowledge and acquiescence and (ii) he knows or has reason to know that the gift was given to the member of his immediate family because of his official position. However, an intangible gift or a combination of intangible gifts with a value exceeding \$100 may be accepted if the gift or gifts were received while in attendance at an event sponsored by a not-for-profit or government entity that is open to the public or to which the public is invited to purchase tickets for admission, or if a written request has been submitted to and has received the written approval of the Virginia Conflict of Interest and Ethics Advisory Council. The Council may approve those requests that provide a public benefit and do not raise the appearance of impropriety. The bill further prohibits any officer, employee, legislator, or candidate, or any member of his immediate family, from soliciting, accepting, or receiving any tangible or intangible gift of any value when he knows or has reason to know that such gift was offered or given with the intent to induce any conduct or action by him related to the performance of his official duties. A knowing violation of this prohibition is punishable by a civil penalty in an amount equal to \$250, and any officer, employee, legislator, or candidate who knowingly commits a second or subsequent violation within four years of a previous violation is guilty of a Class 1 misdemeanor. For purposes of this limitation, the bill defines "tangible gift" as a thing of value that can be sold at retail, including currency, securities, and other financial instruments and defines "intangible gift" as those services, transportation, lodgings, meals, and other things of value that may be enjoyed but cannot be resold. The prohibition does not apply to gifts given by relatives or personal friends. The bill amends the five-year dollar adjustment to the limitation on annual gifts, requiring the adjustment be rounded to the nearest \$50.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1667>

HB 1669 Scholastic records; personally identifiable information; student databases. (*Berg*) Prohibits the Board of Education, the Department of Education, other state-level educational agencies, local school boards, and public schools from (i) collecting or pursuing a grant that would require the collection of certain types of student and family information; (ii) maintaining, entering into a contract with a third party for the maintenance of, or disclosing to any contractor, consultant, or other third party (a) to whom it has outsourced its services or functions or (b) that conducts studies for or on its behalf to develop, validate, or administer predictive tests or administer student-aid programs student personally identifiable information contained in scholastic records in a student database without the written consent of adult students or the parents of minor students unless the disclosing party and the third party to whom the disclosure is made fulfill several requirements such as reporting requirements; and (iii) disclosing under any circumstance, except with such written consent, student personally identifiable information contained in scholastic records in a student database to certain categories of third parties. The bill sets forth civil penalties for third party violations. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1669>

HB 1677 Grants for earning workforce training credentials; New Economy Industry Credential Assistance Training Grants. (*Byron*) Establishes a grant program that would pay grants to certain individuals successfully completing a noncredit workforce training program and earning the related credential in a high-demand field. The grant, up to a total of \$1,000, would be limited to payment of tuition charged for the training program, the cost of any required textbooks, and the cost of any examination required to earn the credential. Individuals (i) enrolled in a public or private high school and participating in a dual enrollment program or (ii) not enrolled in a public or private middle or high school would be eligible for the grant. The noncredit workforce training program must be provided or sponsored by (i) a Virginia community college, (ii) a private institution certified to operate in Virginia by the State Council of Higher Education for Virginia (SCHEV) that has elected to participate in the grant program, or (iii) the Institute for Advanced Learning and Research, New College Institute, Roanoke Higher Education Center, Southern Virginia Higher Education Center, Southwest Virginia Higher Education Center, or Eastern Virginia Medical School. Individuals would apply for grants directly to the school that provided or sponsored the workforce training program. The Virginia Board of Workforce Development would maintain a list of high-demand fields and the related credentials on its website. The amount of grants available each year for the program would be determined by the general appropriation act. The bill has a delayed effective date of January 1, 2016. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1677>

HB 1680 Employment applications; inquiries regarding criminal arrests, charges, or convictions. (*Carr*) Prohibits state agencies from including on any employment application a question inquiring whether the prospective employee has ever been arrested or charged with, or convicted of, any crime, subject to certain exceptions. A prospective employee may not be asked if he has ever been convicted of any crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if the prospective employee has a conviction record that directly relates to the duties and responsibilities of the position. A prospective employee may not be asked if he has ever been arrested or charged with a crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if (i)

the prospective employee's criminal arrest or charge resulted in the prospective employee's conviction of a crime and (ii) the crime of which he was convicted directly relates to the duties and responsibilities of the position. The prohibition does not apply to applications for employment with law-enforcement agencies, fire departments, and emergency medical services agencies. Localities are authorized to prohibit such inquiries by ordinance.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1680>

HB 1689 State and Local Government Conflict of Interests Act and the General Assembly Conflicts of Interests Act; certain gifts prohibited; penalties. (*Minchew*) Prohibits state government officers and employees, constitutional officers, legislators, and candidates required to file the disclosure form prescribed in § 2.2-3117 or 30-111 from soliciting, accepting, or receiving within any calendar year any single gift or any combination of gifts with a value exceeding \$100 from any person, reduced from the current \$250 limit. Such gift given to a member of the immediate family of an officer, employee, legislator, or candidate shall be considered a gift to the officer, employee, legislator, or candidate for purposes of the prohibition and the disclosure requirements if (i) the gift was given with his knowledge and acquiescence and (ii) he knows or has reason to know that the gift was given to the member of his immediate family because of his official position. The prohibition does not apply to gifts given by relatives, personal friends, or business associates who are acting without the intent to gain access to or influence the officer, employee, legislator, or candidate in his official duties. The bill permits the acceptance of a gift or a combination of gifts with a value exceeding \$100 if the gifts are accepted while in attendance at a widely attended event, which is defined as a nonpartisan event to which at least 25 persons have been invited and are anticipated to attend, and does not include overnight accommodations and more than one meal. The bill also permits the acceptance of a travel-related thing of value that exceeds \$100 in value and is provided by a third party if a written request for a waiver has been submitted to and has been approved by the Virginia Conflict of Interest and Ethics Advisory Council. Waivers are not required for travel paid for or provided by the government of the United States, any of its territories, or another state in the United States or a political subdivision of such other state. Such gifts must still be disclosed on the prescribed form. The bill further prohibits any officer, employee, legislator, or candidate, or member of his immediate family, from soliciting, accepting, or receiving any gift of any value when he knows or has reason to know that such gift was offered or given with the intent to induce any conduct or action by him related to the performance of his official duties. A knowing violation of this prohibition is punishable by a civil penalty in an amount equal to \$250, and any officer, employee, legislator, or candidate who knowingly commits a second or subsequent violation within four years of a previous violation is guilty of a Class 1 misdemeanor. The bill removes the distinction between tangible and intangible gifts and the five-year dollar adjustment to the limitation on annual gifts.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1689>

HB 1703 Virginia Public Procurement Act; small purchase procedure for construction. (*Morefield*) Clarifies that small purchase procedures for purchases not expected to exceed \$100,000 may be used to procure construction. Under the bill, where small purchase procedures are adopted for construction, the procedures may not waive compliance with the Uniform Statewide Building Code.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1703>

HB 1743 Research and development expenses income tax credit. (*Hugo*) Provides that beginning with taxable year 2015, the credit will equal 10 percent of the difference of (i) a taxpayer's Virginia qualified research and development expenses for the current taxable year and (ii) 50 percent of such taxpayer's average Virginia qualified research and development expenses for the immediately preceding three taxable years. If the taxpayer did not pay or incur Virginia qualified research and development expenses in one or more of the immediately preceding three years, the credit will equal seven percent of the taxpayer's Virginia qualified research and development expenses for the current taxable year. Under current law, the credit equals (i) 15 percent of the first \$234,000 of the taxpayer's Virginia qualified research and development expenses that exceed a base amount or (ii) if the research and development was conducted in conjunction with a Virginia college or university, 20 percent of the taxpayer's first \$234,000 in Virginia qualified research and development expenses that exceed a base amount. The bill also eliminates the \$6 million annual cap on credits awarded and the requirement to apply to the Department of Taxation for the tax credit.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1743>

HB 1797 Department of Small Business and Supplier Diversity; definition of small business. (*Knight*) Changes the definition of small business to require the business, together with affiliates, to have 250 or fewer employees and average annual gross receipts of \$10 million or less averaged over the previous three years. Currently, a small business is required to meet one or the other of these conditions.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1797>

HB 1874 Department of General Services; Division of Engineering and Buildings; use of value engineering. (*James*) Eliminates the need for a separate value engineering study and report for projects that (i) are designed utilizing either the design-build or construction manager at risk construction delivery method and (ii) have the value engineering process as an integral component of those delivery methods. The bill also eliminates the requirement that a designee of the Department of General Services participate in all cost savings decisions for such projects having a waiver granted by the Director. As a result, only a summary of the cost savings that have been incorporated into the design must be provided to the Division prior to the award of the construction contract. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1874>

HB 1945 Domestic violence leave for employees. (*McClellan*) Requires employers to allow an employee to take domestic violence leave, with or without pay, if the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking. Domestic violence leave may be taken to (i) seek legal or law-enforcement assistance or remedies; (ii) seek treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking or to attend to health care treatment for a victim who is the employee's family member; (iii) obtain, or assist a family member in obtaining, services from a domestic violence shelter, rape crisis center, or other social services program for relief from domestic violence, sexual assault, or stalking; (iv) obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault, or stalking, in which the employee or the employee's family member was a victim of domestic violence, sexual assault, or stalking; or (v) participate in safety planning, temporarily or permanently

relocate, or take other actions to increase the safety of the employee or employee's family members from future domestic violence, sexual assault, or stalking. Employers are prohibited from discharging or discriminating against an employee because the employee takes domestic violence leave. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1945>

HB 1947 State and Local Government Conflict of Interests Act and General Assembly Conflicts of Interests Act; establishing the Virginia Independent Ethics Review Commission; penalty. *(McClellan)* Establishes the Virginia Independent Ethics Review Commission, a seven-member independent commission authorized to (i) prescribe, receive, and review all disclosure forms required by the State and Local Government Conflict of Interests Act, the General Assembly Conflicts of Interests Act, and the lobbying laws; (ii) conduct annual audits of those disclosure forms; (iii) issue advisory opinions; (iv) grant waivers for certain travel and gifts; (v) investigate alleged violations of the State and Local Government Conflict of Interests Act, the General Assembly Conflicts of Interests Act, and the lobbying laws; and (vi) refer certain violations to the appropriate authority for prosecution. The Commission replaces the current legislative Virginia Conflict of Interest and Ethics Advisory Council and the House of Delegates and Senate Ethics Advisory Panels. The bill prohibits any single gift or any combination of gifts with a value exceeding \$100 to those persons subject to the Conflicts of Interests Acts and members of their immediate family from any single source in a calendar year, but exempts meals accepted as part of a widely attended event and travel-related gifts for which the Commission has granted a waiver. The bill removes the required disclosure forms from the Code, outlines the required information to be reported on the disclosure forms, and authorizes the Commission to prescribe the forms. The bill requires all disclosure forms be filed electronically with the Commission and permits the clerks of governing bodies to submit the disclosure forms on behalf of any local official. The bill also extends the current prohibition on political fundraising during regular sessions of the General Assembly to special sessions as well. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1947>

HB 1954 Advisory Committee on Sexual and Domestic Violence. *(McClellan)* Establishes the Advisory Committee on Sexual and Domestic Violence, which is tasked with advising and assisting governmental entities on matters related to the prevention and reduction of sexual and domestic violence in the Commonwealth, and the administration of grant funds to state and local programs that work in these areas. This bill is a recommendation of the Virginia State Crime Commission. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1954>

HB 1988 Campus police departments; reporting of felony criminal sexual assault. *(Morrisey)* Requires each campus police department that obtains information alleging that a felony criminal sexual assault has occurred to report such information no later than 48 hours after commencing an investigation into such allegation to the law-enforcement agency and the attorney for the Commonwealth serving the locality in which the institution is located or serving the locality in which the alleged violation occurred unless such report would be a violation of applicable state or federal law. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB1988>

HB 2041 Open Education Resources Innovation Council established. (*Filler-Corn*) Establishes the Open Education Resources Innovation Council as a policy board in the executive branch of state government for the purpose of identifying open education resources at all levels of education and uses for such resources and recommending specific policies and funding mechanisms for the increased use of open education resources in the Commonwealth.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB2041>

HB 2089 Employment; abusive work environment. (*Keam*) Prohibits an employer from (i) permitting an employee to be subjected to an abusive work environment, (ii) subjecting an employee to an abusive work environment, or (iii) retaliating against an employee because the employee brings or participates in an action, investigation, or proceeding related to the abusive work environment. The measure also prohibits the employer's agent or a coworker from subjecting an employee to an abusive work environment. The bill defines "abusive work environment" as a workplace in which an employee is subjected to abusive conduct severe enough to cause physical or psychological harm. The bill provides that an aggrieved employee may bring a private cause of action. In such a proceeding the court may order injunctive relief, reinstatement, removal of any offending party from the employee's work environment, compensation for lost wages, benefits, and other remuneration; compensation for medical costs and emotional duress; punitive damages; and reasonable costs and attorney fees. Punitive damages are not allowed if the violation does not include an adverse employment action against the employee or result in lost work time, earnings, or other benefits.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB2089>

HB 2181 Referendum; state minimum wage. (*Krupicka*) Provides for a statewide referendum at the November 2015 general election on the question of whether the state minimum wage should be increased incrementally over the next three years from the current \$7.25 per hour to \$7.50 per hour on January 1, 2016, \$8.00 per hour on January 1, 2017, and \$8.50 per hour on January 1, 2018.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HB2181>

HOUSE RESOLUTIONS/JOINT RESOLUTIONS

HJ 528 Study; JLARC; militarization of police; report. (*Marshall*) Directs the Joint Legislative Audit and Review Commission to study the militarization of law-enforcement agencies in the Commonwealth.
<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=hj528>

HJ 582 Study; feasibility of authenticating electronic government records; report. (*Surovell*) Establishes a 12-member joint subcommittee to evaluate the feasibility of authenticating electronic government records that are made available online.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+HJ582>

SENATE BILLS

SB 681 Minimum wage. (*Marsden*) Increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$8.00 per hour effective July 1, 2015, to \$9.00 per hour effective July 1, 2016, and to \$10.10 per hour effective July 1, 2017, unless a higher minimum wage is required by the federal Fair Labor Standards Act (FLSA).

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=sb681>

SB 687 Virginia Retirement System; average final compensation. (*Marsden*) Provides that if an employee receives increases in compensation related to a promotion or new position in the last four years of service that exceed 400 percent of the employee's average annual compensation during the preceding three years, then the employee's service retirement allowance shall be based upon average annual compensation during the employee's final ten years of service. The provision would not apply to an employee who returns to service after at least a one year gap in service, who receives a judicial appointment, or who is elected Governor or Attorney General. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=sb687>

SB 688 Voter identification; accepted forms of identification. (*Ebbin*) Adds to the list of accepted forms of identification for purposes of voting valid student photo identification cards issued by any private school located in the Commonwealth or by any public or private school or institution of higher education located in any other state or territory of the United States. Students of public high schools in Virginia are currently permitted to use their student photo identification cards for purposes of voting because current law allows the use of photo identification issued by the Commonwealth or one of its political subdivisions. Current law also allows students from public or private institutions of higher education located in the Commonwealth to use their student photo identification cards for purposes of voting.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=sb688>

SB 696 Conflict of Interests Act; certain gifts prohibited; penalties. (*Petersen*)

Prohibits state and local government officers and employees and legislators and candidates for the General Assembly required to file the disclosure form prescribed in § 2.2-3117 or 30-111 from soliciting, accepting, or receiving any single tangible or intangible gift with a value exceeding \$100 from any person. For purposes of the prohibition and the disclosure requirements, such gift given to a member of the immediate family of an officer, employee, legislator, or candidate shall be considered a gift to the officer, employee, legislator, or candidate if (i) the gift was given with his knowledge and acquiescence, and (ii) he knows or has reason to know that the gift was given to the member of his immediate family because of his official position. However, an intangible gift with a value exceeding \$100 may be accepted if a written request has been submitted to and has received the written approval of the Virginia Conflict of Interest and Ethics Advisory Council. The Council may approve those requests that provide a public benefit and do not raise the appearance of impropriety. The bill further prohibits any officer, employee, legislator, or candidate, or member of his immediate family, from soliciting, accepting, or receiving any tangible or intangible gift of any value when he knows or has reason to know that such gift was offered or given with the intent to induce any conduct or action by him related to the performance of his official duties. A knowing violation of this prohibition is punishable by a civil penalty in an amount equal to \$250, and any officer,

employee, legislator, or candidate who knowingly commits a second or subsequent violation within four years of a previous violation is guilty of a Class 1 misdemeanor. For purposes of this limitation, the bill defines "tangible gift" as a thing of value that can be sold at retail, including currency, securities, and other financial instruments, and defines "intangible gift" as those services, transportation, lodgings, meals, and other things of value that may be enjoyed but cannot be resold. The prohibition does not apply to gifts given by relatives, personal friends, or business associates who are acting without the intent to gain access to or influence the officer, employee, legislator, or candidate in his official duties. The bill removes the five-year dollar adjustment to the limitation on annual gifts.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=sb696>

SB 706 Minimum wage. (*Puller*) Increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$8.00 per hour effective July 1, 2015, unless a higher minimum wage is required by the federal Fair Labor Standards Act. The measure also provides that the cash wage paid to a tipped employee shall not be less than 50 percent of the minimum wage, and that the tip credit shall equal the difference between the cash wage required to be paid to a tipped employee and the minimum wage.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB706>

SB 735 General Assembly Conflicts of Interests Act; prohibited conduct related to travel. (*Marsden*) Prohibits members of the General Assembly from accepting any lodging, transportation, hospitality, or other travel-related thing of value with an aggregate value in excess of \$250 from any lobbyist, lobbyist's principal, or person, organization, or business who is a party to or is seeking to become a party to a contract with the Commonwealth, prior to submitting to the Virginia Conflict of Interest and Ethics Advisory Council a request to accept such thing of value and receiving approval of the request. The bill requires the Council to approve such a request where at least 90 percent of the travel is dedicated to the purpose of economic development, diplomacy, trade relations, or education or is in furtherance of carrying out duties imposed by statute or the work of any standing committee of the General Assembly or legislative interim study commission or committee.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB735>

SB 774 Admissions tax in counties. (*Lucas*) Extends the authorization to levy a tax on admissions charged for attendance at any event to all counties and removes specific authorizations deemed unnecessary as a result of this bill.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=sb774>

SB 785 Public employment; prohibits discrimination based on basis of sexual orientation or gender identity. (*McEachin*) Prohibits discrimination in public employment based on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a special disabled veteran or other veteran. The bill incorporates [SB 1181](#).

<http://lis.virginia.gov/cgibin/legp604.exe?ses=151&typ=bil&val=sb785&submit=GO>

SB 805 Grants for donations to science, technology, engineering, or math (STEM) programs. (*Stanley*) Establishes a grant program administered by the Board of Education beginning in 2015 for donations made by STEM organizations to qualified schools. The donations must be used by qualified schools to support STEM programs. The bill defines qualified schools as those public elementary and secondary schools at which at least 40 percent of the students qualify for free or reduced lunch. Grants are capped at \$50,000 per organization per year.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=sb805>

SB 812 Lobbyist disclosure; definition of executive action; procurement transactions. (*Watkins*) Includes procurement transactions under the definition of "executive action." "Procurement transaction" is defined as all functions that pertain to obtaining goods, services, or construction on behalf of an executive agency, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=151&typ=bil&val=sb812>

SB 826 Limit on appropriations. (*Martin*) Limits the growth in appropriations from state sources to the growth of Virginia's population plus the rate of inflation.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB826>

SB 828 Possession of firearm, etc., on school property; private or religious schools. (*Black*) Eliminates the crimes of possession on the property of a private or religious elementary, middle, or high school; a school bus owned or operated by such school; or any property being used for functions or extracurricular activities sponsored by such school of a stun weapon, knife, or other weapon (currently a Class 1 misdemeanor) or a firearm (currently a Class 6 felony). The bill does not affect the criminal penalties for the possession of such weapons on public school property.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB828>

SB 863 Virginia Public Procurement Act; small purchase procedure for construction. (*Chafin*) Clarifies that small purchase procedures for purchases not expected to exceed \$100,000 may be used to procure construction. Under the bill, where small purchase procedures are adopted for construction, the procedures may not waive compliance with the Uniform Statewide Building Code.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB863>

SB 929 State agencies; use of third-party commercial carrier for service, delivery, or transmission of notices. (*Edwards*) Authorizes state agencies under Titles 2.2 and 54.1 to use a third-party commercial carrier when service, delivery, or transmission of any notice or paper is authorized or required to be accomplished by mail, ordinary mail, registered mail, or certified mail. The bill provides that any applicable requirements in other titles of the Code of Virginia or the Rules of the Supreme Court of Virginia for proof of any service, delivery, or transmission shall remain in effect when a third-party commercial carrier is used.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB929>

SB 977 Virginia Sickness and Disability Program; open enrollment period. (*Ruff*) Opens enrollment into the Virginia Sickness and Disability Program between October 1, 2015, and January 1, 2016, for eligible employees not currently participating in the program. Any employee electing to participate in the program would convert his sick leave balances to (i) additional retirement service credit on the basis of one month of service for each 173 hours of sick leave or (ii) disability credits on the basis of one hour of disability credit for each hour of sick leave. An election to participate in the program must be in writing and is irrevocable.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB977>

SB 978 Virginia Retirement System; participation in Plan One. (*Ruff*) Allows an employee hired before July 1, 2010, who did not have at least 60 months of creditable service as of January 1, 2013, to make a one-time, irrevocable election to participate in the Virginia Retirement System as a Plan One employee.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB978>

SB 987 Virginia Public Procurement Act; bid match preference for Virginia businesses. (*Garrett*) Provides that whenever the lowest responsive and responsible bidder is a resident of another state that allows a percentage preference for resident contractors, a like preference shall be allowed to the lowest responsive and responsible bidder who is a resident of Virginia and is within 5 percent of the lowest bid price. The bill also requires the Department of General Services to include in its posting of states that allow preferences those states that allow resident contractors a price matching preference.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB987>

SB 990 Domestic violence leave for employees. (*Lucas*) Requires employers to allow an employee to take domestic violence leave, with or without pay, if the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking. Domestic violence leave may be taken to (i) seek legal or law-enforcement assistance or remedies; (ii) seek treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking or to attend to health care treatment for a victim who is the employee's family member; (iii) obtain, or assist a family member in obtaining, services from a domestic violence shelter, rape crisis center, or other social services program for relief from domestic violence, sexual assault, or stalking; (iv) obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault, or stalking, in which the employee or the employee's family member was a victim of domestic violence, sexual assault, or stalking; or (v) participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members from future domestic violence, sexual assault, or stalking. Employers are prohibited from discharging or discriminating against an employee because the employee takes domestic violence leave.
<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB990>

SB 1017 Employment applications; inquiries regarding criminal arrests, charges, or convictions. (*Dance*) Prohibits state agencies from including on any employment application a question inquiring whether the prospective employee has ever been arrested or charged with, or convicted of, any crime, subject to certain exceptions. A prospective employee may not be

asked if he has ever been convicted of any crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if the prospective employee has a conviction record that bears a rational relationship to the duties and responsibilities of the position. A prospective employee may not be asked if he has ever been arrested or charged with a crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if (i) the prospective employee's criminal arrest or charge resulted in the prospective employee's conviction of a crime and (ii) the crime of which he was convicted bears a rational relationship to the duties and responsibilities of the position. The prohibition does not apply to applications for employment with law-enforcement agencies, fire departments, and emergency medical services agencies. The bill also authorizes localities to prohibit such inquiries. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1017>

SB 1057 Advisory Committee on Sexual and Domestic Violence. (*Howell*) Establishes the Advisory Committee on Sexual and Domestic Violence, which is tasked with advising and assisting governmental entities on matters related to the prevention and reduction of sexual and domestic violence in the Commonwealth, and the administration of grant funds to state and local programs that work in these areas. This bill is a recommendation of the Virginia State Crime Commission. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1057>

SB 1083 Immunizations; adds certain doses of meningococcal vaccine to minimum requirements. (*Vogel*) Adds certain doses of the meningococcal vaccine to the minimum immunization requirements set forth in the State Board of Health Regulations for the Immunization of School Children. The bill contains a reenactment clause <http://lis.virginia.gov/cgibin/legp604.exe?ses=151&typ=bil&val=sb1083&submit=GO>

SB 1135 Adoption leave benefit. (*Garrett*) Creates a new classification of paid leave for a state employee who adopts an infant. The amount of leave would be equivalent to the amount of paid leave awarded to an employee pursuant to short-term disability for a birth without medical complications. The Department of Human Resource Management is directed to develop guidelines and policies for implementing the adoption leave benefit <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1135>

SB 1153 Apprenticeship opportunities; online portal. (*Wexton*) Requires the Virginia Board of Workforce Development, in coordination with the Commissioner of Labor and Industry, to establish an online portal for accessing apprenticeship opportunities available to high school graduates. <http://lis.virginia.gov/cgibin/legp604.exe?ses=151&typ=bil&val=sb1153&submit=GO>

SB 1181 Nondiscrimination in public employment. (*Ebbin*) Prohibits discrimination in public employment based on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a special disabled veteran or other veteran. <http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1181>

SB 1250 Lobbyist disclosure; gifts; penalty. Amends the portion of the lobbyist disclosure form on which gifts are disclosed. The amended Schedule B requires disclosure of any gift to an executive or legislative official with a value of more than \$50 of which the principal contributed all or part, even if the principal's share of the gift was less than \$50.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1250>

SB 1251 Lobbyist reporting; disclosure statement. Amends the lobbyist disclosure form to require the listing of the matters of general concern for which the lobbyist works on behalf of the principal and each (i) legislative action, (ii) executive action, and (iii) procurement action for which the lobbyist sought to influence the outcome. The bill defines procurement transaction and sought to influence.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1251>

SB 1267 State and Local Government Conflict of Interests Act and General Assembly Conflicts of Interests Act; prohibited conduct related to gifts and travel. (*Edwards*) Prohibits state and local government officers and employees and members of the General Assembly from accepting any gift or any combination of gifts with a value exceeding the current limit of \$250 from a third party prior to submitting to the Virginia Conflict of Interest and Ethics Advisory Council a request for a waiver to accept such gift and receiving such a waiver. The bill requires the Council to receive and review requests for waivers, and, within seven days of receiving a request, approve or deny the request for waiver. In reviewing the request for a waiver, the Council shall consider the nature of the gift, the relationship between the requester and the third party providing the gift, and whether the gift relates to the official duties of the requester. When reviewing a request for a waiver for a travel-related gift, the Council is also required to consider the purpose of the travel as it relates to the official duties of the requester. Waivers are not required for travel paid for or provided by the government of the United States, any of its territories, or another state in the United States or the political subdivision of such other state. The bill also removes the distinction between tangible and intangible gifts and prohibits any single gift, or any combination of gifts in a calendar year, with a value exceeding \$250 given from any third party to those persons subject to the Conflicts of Interests Acts. For purposes of the prohibition and the waiver exception, "third party" is defined as any person who the officer, employee, or legislator knows or has reason to know is a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2; a lobbyist's principal as defined in § 2.2-419; a person, organization, or business who is a party to or is seeking to become a party to a contract with the Commonwealth or one of its political subdivisions; or a person whose interests may be substantially affected by the performance of the official duties of the officer, employee, or legislator.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1267>

SB 1278 State and Local Government Conflict of Interests Act and the General Assembly Conflicts of Interests Act; certain gifts prohibited; penalties. (*Wexton*) Prohibits state and local government officers and employees and legislators and candidates for the General Assembly required to file the disclosure form prescribed in § 2.2-3117 or 30-111 from soliciting, accepting, or receiving any single tangible or intangible gift, or any combination of tangible or intangible gifts, with a value exceeding \$100 from any person, organization, or

business within any calendar year. For purposes of the prohibition and the disclosure requirements, such gift given to a member of the immediate family of an officer, employee, legislator, or candidate shall be considered a gift to the officer, employee, legislator, or candidate if (i) the gift was given with his knowledge and acquiescence and (ii) he knows or has reason to know that the gift was given to the member of his immediate family because of his official position. However, an intangible gift with a value exceeding \$100 may be accepted if a written request has been submitted to and has received the written approval of the Virginia Conflict of Interest and Ethics Advisory Council (the Council). The Council may approve those requests that provide a public benefit and do not raise the appearance of impropriety. The bill further prohibits any officer, employee, legislator, or candidate, or a member of his immediate family, from soliciting, accepting, or receiving any tangible or intangible gift of any value when he knows or has reason to know that such gift was offered or given with the intent to induce any conduct or action by him related to the performance of his official duties. A knowing violation of this prohibition is punishable by a civil penalty of \$250, and any officer, employee, legislator, or candidate who knowingly commits a second or subsequent violation within four years of a previous violation is guilty of a Class 1 misdemeanor. For purposes of this limitation, the bill defines "tangible gift" as a thing of value that can be sold at retail, including currency, securities, and other financial instruments, and defines "intangible gift" as those services, transportation, lodgings, meals, and other things of value that may be enjoyed but cannot be resold. The prohibition does not apply to gifts given by relatives, personal friends, or business associates who are acting without the intent to gain access to or influence the officer, employee, legislator, or candidate in his official duties. The bill removes the five-year dollar adjustment to the limitation on annual gifts.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1278>

SB 1289 State and Local Government Conflict of Interests Act, General Assembly Conflicts of Interests Act; Virginia Independent Commission on Ethics established; penalty. *(Ebbin)* Establishes the Virginia Independent Commission on Ethics (the Commission), an independent ethics commission authorized to (i) prescribe, receive, and review all disclosure forms required by the State and Local Government Conflict of Interests Act, the General Assembly Conflicts of Interests Act, and the lobbying laws; (ii) conduct annual audits of those disclosure forms and work with the State Board of Elections and local electoral boards to conduct random audits of campaign finance reports; (iii) issue advisory opinions; (iv) grant waivers for certain gifts; (v) investigate alleged violations of the State and Local Government Conflict of Interests Act, the General Assembly Conflicts of Interests Act, and the lobbying laws; and (vi) refer certain violations to the appropriate authority for prosecution. The Commission replaces the current legislative Virginia Conflict of Interest and Ethics Advisory Council and the House of Delegates and Senate Ethics Advisory Panels. The bill also prohibits persons subject to the Conflicts of Interests Acts from receiving any single or combination of tangible gifts with a value in excess of \$100 and any single or combination of intangible gifts with a value in excess of \$250, but exempts gifts received at a widely attended event or gifts for which a waiver has been granted by the Commission.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1289>

SB 1299 Public procurement; products manufactured in the United States. *(McEachin)* Requires public contracts for the construction, reconstruction, alteration, repair, improvement,

or maintenance of a public building or public works to contain a provision that the iron, steel, and manufactured goods used or supplied in the performance of the public contract or any subcontract shall be manufactured in the United States. This requirement does not apply if the requirement is inconsistent with the public interest, the products are not manufactured within the United States in sufficient and reasonably available quantities or with satisfactory quality, or using the products will increase the cost of the public contract by 25 percent or more. A person intentionally mislabeling or misrepresenting the origin of products will be ineligible to receive any other public contracts.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1299>

SB 1322 State Board for Community Colleges; policy for the award of academic credit for military training. (*Stosch*) Requires the State Board for Community Colleges to adopt, no later than December 31, 2015, a policy for the award of academic credit to any student enrolled at a comprehensive community college who has successfully completed a military training course or program as part of his military service that is applicable to the student's certificate of degree requirements and is recommended for academic credit by a national higher education association that provides academic credit recommendations for military training courses or programs, noted on the student's military transcript issued by any of the armed forces of the United States, or otherwise documented in writing by any of the armed forces of the United States.

<http://lis.virginia.gov/cgi-bin/legp604.exe?151+sum+SB1322>

SENATE RESOLUTIONS/JOINT RESOLUTIONS

NONE