

2013 Session: Bills, Resolutions and Other Items of Note

-Final Action-

BILLS THAT PASSED

HOUSE BILLS

HB 1392 Revenue bond bills for higher education; modifications. *(Putney)*

Modifies revenue bond bills for institutions of higher education enacted in 2008 by changing a project at Radford University from "construct residence halls" to "renovate residence halls." The bill also modifies revenue bond bills for institutions of higher education enacted in 2012 by (i) changing a project at the College of William and Mary from "renovate dormitory" to "renovate dormitories," (ii) increasing the amount allocated for such project from \$5,000,000 to \$14,650,000, and (iii) increasing the maximum aggregate amount of bonds that may be issued from \$125,594,000 to \$135,244,000. The bill states that an emergency exists and that the bill is in force from its passage. (Note: Graduate Student dorms and Trinkle Hall are included.) SAME as SB 754.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1392>

HB 1461 Eligibility for in-state tuition charges; military. *(Lingamfelter)*

Clarifies eligibility for in-state tuition of current and former military personnel and their dependents.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1461>

HB 1561 Agreements for consolidation or cooperation of police departments; private police departments. *(Garrett)*

Allows private police departments that have been designated as criminal justice agencies and are subject to the training and compliance requirements of the Department of Criminal Justice Services to be party to a consolidation or cooperation agreement with the police departments of any locality, any federal agency exercising police powers, the police of a state-supported institution of higher education, and the Division of Capitol Police.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1561>

HB 1609 Higher education; mental health treatment coordination. *(Hugo)*

Requires the governing board of each public four-year institution of higher education to establish a written memorandum of understanding with its local community services board or behavioral health authority and with local hospitals and other local mental health facilities in order to expand the scope of services available to students seeking treatment. The bill requires each public four-year institution of higher education to designate a contact person to be notified when a student is involuntarily committed, or when a student is discharged from a facility and he consents to such notification. The bill requires the memorandums to include the institution of higher education in the post-discharge planning of a student who has been committed and intends to return to campus, to the extent allowable under state and federal privacy laws.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1609>

HB 1617 Higher education; student organizations. (Gilbert)

Prohibits public institutions of higher education that grant recognition of and access to any student organization or group from discriminating against a student organization or group on the basis of the religious, political, philosophical, or other content of the organization or group's speech. The bill authorizes religious or political student organizations or groups to determine that ordering the organization's internal affairs, selecting the organization's leaders and members, defining the organization's doctrines, and resolving the organization's disputes are in furtherance of the organization's religious or political mission and that only persons committed to that mission should conduct those activities. The bill also prohibits public institutions of higher education from denying recognition or any privilege or benefit to any religious or political student organization or group that limits its core functions to persons committed to its mission.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1617>

HB 1666 Licensure of professional counselors. (Yost)

Establishes minimum education requirements for licensure as a professional counselor and provides that an applicant must have received a master's degree from a program in which the primary emphasis is on preparation for the practice of counseling. The bill exempts individuals who meet all other requirements for licensure as a professional counselor related to coursework and completion of a supervised residency by July 1, 2017, from provisions related to completion of a graduate degree.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1666>

HB 1720 Alcoholic beverage control; proof of legal age required. (Head)

Provides that any person selling alcoholic beverages to an individual who the seller knows or has reason to believe is younger than 21 years of age shall require the individual to present a photo identification form issued by a governmental agency that contains the individual's complete name, height, weight, and date of birth indicating that the individual is 21 years of age or older. The bill excludes student identification cards as bona fide evidence of legal age. The bill provides that failure to require identification shall be deemed a violation.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1720>

HB 1767 Income tax credit; donation of machinery and equipment to certain schools. (Watson)

Establishes an individual and corporate income tax credit beginning January 1, 2013, for business donations of machinery and equipment to Virginia's community colleges and vocational schools. The machinery and equipment are to be principally used in Virginia in teaching or training students of the donee community college or vocational school. The credit would equal 20 percent of the purchase price paid by the business for the machinery and equipment. However, a business would not be allowed more than an aggregate of \$5,000 of tax credit in any year for such donations.

The credit would sunset on December 31, 2017. Any unused credit would be available to be carried forward for five years. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=hb1767>

HB 1790 Virginia Nuclear Energy Consortium. (Garrett)

Establishes the Virginia Nuclear Energy Consortium Authority as a political subdivision of the Commonwealth for the purposes of making the Commonwealth a national and global leader in nuclear energy and serving as an interdisciplinary study, research, and information resource for the

Commonwealth on nuclear energy issues. The 17-member board of directors of the Authority is directed to form a nonstock, nonprofit corporation, referred to as the Virginia Nuclear Energy Consortium. Membership in the Consortium is open to specified educational institutions, Virginia-based federal research laboratories, nuclear-related nonprofit organizations, business entities with operating facilities in Virginia that are engaged in activities directly related to the nuclear energy industry, and other persons whose membership is approved by the Consortium's board of directors. The purposes of the Consortium include carrying out the rights, powers, and duties of the Authority and conducting other activities useful in (i) making the Commonwealth a leader in nuclear energy, (ii) serving as an interdisciplinary study, research, and information resource for the Commonwealth on nuclear energy issues, and (iii) raising money on behalf of the Authority in the corporate and nonprofit community and from other nonstate sources. <http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1790>

HB 1826 Law-enforcement officers; exceptions to territorial limits. (Villanueva)

Provides that whenever the necessity arises for the enforcement of laws related to kidnapping, police officers and other officers, agents, and employees of a locality, Capitol Police officers, and campus police may be sent beyond their territorial limits.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=hb1826>

HB 1845 Fraud and Abuse Whistle Blower Reward Fund; amount of reward; duties of the State Inspector General. (Loupassi)

Reduces the minimum recovery required for an award from the Fraud and Abuse Whistle Blower Reward Fund from \$10,000 to \$5,000 and expands the purposes for which the Fund may be used to include supporting the administration of the Fund, defraying Fund advertising costs, and subsidizing the operation of the Fraud, Waste and Abuse Hotline, all expenditures for which are capped at five percent of the Fund. Under the bill, all moneys recovered by the Office of the State Inspector General as a result of whistle blower activity and alerts originating in the Office shall be deposited into the Fund. The bill also provides that by the end of each quarter 85 percent of all sums recovered be remitted to the institutions or agencies on whose behalf the recovered sums were secured, unless otherwise directed by a court of law. In addition, the bill (i) authorizes the State Inspector General to split a reward among multiple whistle blowers reporting the same qualifying incident of wrongdoing or abuse, (ii) requires the State Inspector General to submit an annual report to the General Assembly summarizing the activities of the Fund, and (iii) changes the name of the State Employee Fraud, Waste and Abuse Hotline to the Fraud, Waste and Abuse Hotline. The bill contains technical amendments. The bill is identical to SB 1178.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=hb1845>

HB 1952 Boards of visitors of public institutions of higher education; public access to information and governance. (Landes)

Adds specific topics to be covered during the educational programs for governing boards and requires such programs to be delivered by the State Council of Higher Education annually. The bill also requires each board of visitors to adopt bylaws with certain provisions relating to the Freedom of Information Act; annually meet with the president of the institution to deliver a review of the president's performance; designate its executive committee to organize the working processes of the board and recommend best practices for board governance; and annually deliver an executive summary of its interim activities to the General Assembly and the Governor.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1952>

HB 2026 Virginia Freedom of Information Act; remote participation in a meeting by a member of a public body; personal matter. (Dudenhefer)

Allows a member of a public body to participate in a meeting by electronic communication means due to personal matters under certain circumstances. Currently, such remote participation is allowed only for emergency, medical condition, or distance from the meeting location of more than 60 miles. The bill is a recommendation of the Virginia Freedom of Information Advisory Council.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2026>

HB 2027 In-state tuition; active duty members. (Dudenhefer)

Allows any active duty member, activated guard or reservist member, or guard or reservist member mobilized or on temporary active orders for six months or more to pay no more than the in-state tuition rate to attend a public institution of higher education if he is stationed or assigned to work in Virginia or resides in Virginia. Currently, such an individual is required to be stationed or assigned to work in Virginia *and* reside in Virginia to receive the rate of no more than in-state tuition.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2027>

HB 2057 Public institutions of higher education; memoranda of understanding. (Jones)

Clarifies the procedure for adopting new education-related measures to be followed by institutions of higher education that seek to enter into memoranda of understanding for additional operational authority. <http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2057>

HB 2079 Virginia Public Procurement Act; methods of procurement. (Jones) Reorganizes the definitions of competitive sealed bidding and competitive negotiation. The bill also adds a definition of job order contracting. <http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2079>

HB 2088 Postsecondary schools; student records and closures. (Tata)

Provides that in the event of a postsecondary school closure, the school shall transfer the academic and financial records of its students to the State Council for Higher Education of Virginia. The bill also requires that a closing school develop and submit to SCHEV a "teachout plan," which is a written agreement between or among postsecondary schools that provides for the equitable treatment of students if one of those institutions stops offering an educational program before all students enrolled in that program complete the program.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2088>

HB 2114 State Inspector General; powers and duties. (Landes) Grants additional powers to the State Inspector General relating to audit functions of state and nonstate agencies. The bill reorganizes the State Inspector General's powers and duties and generally reorganizes the law relating to the Office of the State Inspector General. The bill contains technical amendments.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2114>

HB 2127 Board of the Virginia College Savings Plan; elected positions. (O'Bannon)

Eliminates the position of secretary from the Board of the Virginia College Savings Plan. The bill also changes the timeframe for the election of Board positions from each calendar year to annually. The bill contains technical amendments.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2127>

HB 2145 Virginia College Savings Plan; deposit of income tax refunds. (O'Bannon)

Permits taxpayers to direct the Department of Taxation to deposit all or any part of an income tax refund into their Virginia College Savings Plan accounts. The provisions of the bill shall be effective for taxable years beginning on or after January 1, 2014.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2145>

HB 2174 Workers' compensation; awards of compensation. (Lewis) Provides that wages paid to an employee who is physically unable to return to his pre-injury work due to a compensable injury and who is provided work within his capacity at a wage equal to or greater than his pre-injury wage shall be considered compensation paid pursuant to an award for compensation but shall not result in a reduction of the maximum number of weeks of compensation benefits. Any award of compensation may be reviewed by the Workers' Compensation Commission.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=hb2174>

HB 2194 Capital outlay plan. (Lingamfelter)

Establishes a revised 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?131+sum+HB2194>

HB 2231 Virginia Military Survivors and Dependents Education Fund; amount of financial assistance. (Rush) Specifies that qualified survivors and dependents are eligible for financial assistance from the Virginia Military Survivors and Dependents Education Fund in an amount up to \$1,800 or as provided in the appropriation act for board and room charges, books and supplies, and other expenses at any public institution of higher education or other public accredited postsecondary institution granting a degree, diploma, or certificate in the Commonwealth.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2231>

HB 2245 Council on Virginia's Future. (Putney)

Extends the sunset date from July 1, 2013, to July 1, 2017, for the Council on Virginia's Future.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2245>

HB 2249 Management agreement between the Commonwealth and College of William and Mary; responsibilities of Building Official. (Cox)

Removes the responsibility for building code compliance at Richard Bland College from the designated Building Official at the College of William and Mary.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2249>

HB 2311 State Council of Higher Education for Virginia. (Cox)

Changes the State Council of Higher Education by (i) expanding its purpose, (ii) altering its membership and setting forth the qualifications of appointees, and (iii) requiring the presidents of the public institutions of higher education in the Commonwealth to present information and comment on issues of common interest at each meeting of the Council.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2311>

HB 2322 State Board for Community Colleges; mental health policies. (Surovell)

Requires the State Board for Community Colleges to develop a mental health referral policy that would require community colleges to designate at least one individual at each college to serve as a point of contact with an emergency services system clinician at a local community services board, or another qualified mental health services provider, for screenings and referrals of students who may have emergency or urgent mental health needs. <http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2322>

HOUSE RESOLUTIONS & JOINT RESOLUTIONS

HJ 696 Commending Dr. Russell E. Whitaker, Jr. (Cox)

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HJ696>

HJ 698 Study; severe shortage of medical doctors; report. (Purkey)

Establishes a joint subcommittee to study the current and impending severe shortage of medical doctors in Virginia. In conducting its study, the joint subcommittee shall (i) determine whether a shortage of medical doctors exists in the Commonwealth, by specialty and by geographical region; (ii) project the future need for medical doctors in Virginia over the next 10 years by field of specialty; and (iii) identify and assess factors that contribute to the shortage of medical doctors, including medical school admissions, the costs of medical education, and the effect of excessive malpractice insurance premiums, malpractice laws and caps, the shortage of nurses, and ancillary regulations such as the Certificate of Public Need; and (iv) identify the medical specialty fields primarily affected by the shortage of doctors and recommend ways to alleviate such shortages. The joint subcommittee must submit its preliminary findings and recommendations to the 2014 Session of the General Assembly and its final findings and recommendations to the 2015 Session.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HJ689>

SENATE BILLS

SB 754 Revenue bond bills for higher education; modifications. (Stosch)

Modifies revenue bond bills for institutions of higher education enacted in 2008 by changing a project at Radford University from "construct residence halls" to "renovate residence halls." The bill also modifies revenue bond bills for institutions of higher education enacted in 2012 by (i) changing a project at the College of William and Mary from "renovate dormitory" to "renovate dormitories," (ii) increasing the amount allocated for such project from \$5,000,000 to \$14,650,000, and (iii) increasing the maximum aggregate amount of bonds that may be issued from \$125,594,000 to \$135,244,000. The bill states that

an emergency exists and that the bill is in force from its passage. (Note: Graduate Student dorms and Trinkle Hall are included.) SAME as SB 74. <http://lis.virginia.gov/cgi-bin/legp604.exe?131+ful+SB754>

SB 776 Virginia New Hire Reporting Center; employer reporting of newly hired employees. *(Watkins)*

Expands the obligations of employers to report information about the hiring of employees to the Virginia New Hire Reporting Center. Employers are required to submit information concerning each newly hired employee to the Center within 20 days of the employment of a newly hired employee. The measure defines a newly hired employee as an employee who has not previously been employed by the employer or who was previously employed by the employer but has been separated from such prior employment for at least 60 consecutive days. The enactment of the expanded definition of a newly hired employee is required pursuant to the federal Trade Adjustment Assistance Extension Act of 2011. The measure also clarifies the purposes for which the Division of Child Support Enforcement may use the information. This is a recommendation of the Commission on Unemployment Compensation.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=sb776>

SB 811 Filing fraudulent liens or encumbrances against a public employee; penalty. *(Garrett)*

Provides that any person who knowingly files a fraudulent lien or encumbrance in a public record against the real or personal property of a state or local employee, member of the General Assembly, member of a local governing body, constitutional officer or employee of a constitutional officer, or board member or employee of a regional jail or jail farm on account of the performance of the official duties of such member, employee, or officer, knowing or having reason to know that such lien or encumbrance is false or contains a materially false or fraudulent statement or representation is guilty of a Class 5 felony. <http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB811>

SB 846 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 course that is not at full capacity to students enrolled in public high schools that are located in the region served by the community college.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB846>

SB 857 Higher education; in-state tuition for military dependents. *(Blevins)* Expands eligibility for in-state tuition to certain dependents of active duty military personnel, or activated or temporarily mobilized reservists or guard members, who are either (i) assigned unaccompanied orders and immediately prior to receiving such unaccompanied orders were assigned to a permanent duty station or workplace geographically located in Virginia, or in a state contiguous to Virginia or the District of Columbia, and resided in Virginia or (ii) assigned unaccompanied orders with Virginia listed as the designated place move. <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=sb857>

SB 912 Management agreement between the Commonwealth and College of William and Mary; responsibilities of Building Official. *(Ruff)* Removes the responsibility for building code compliance at Richard Bland College from the designated Building Official at the College of William and Mary.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB912>

SB 995 Virginia Retirement System. *(Watkins)*

Makes technical changes to carry out provisions enacted by the General Assembly in 2012 regarding retirement plans administered by the Virginia Retirement System.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB995>

SB 1064 Secretary of Veterans Affairs and Homeland Security; powers and duties. *(Herring)*

Directs the Secretary of Veterans Affairs and Homeland Security to work with veterans services organizations and counterparts in other states to monitor and encourage the timely and accurate processing of veterans benefit requests by the U.S. Department of Veterans Affairs.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1064>

SB 1074 Higher education; student organizations. *(Obenshain)*

Authorizes religious or political student organizations or groups to determine that the core functions of ordering the organization's internal affairs, selecting the organization's leaders and members, defining the organization's doctrines, and resolving the organization's disputes are in furtherance of the organization's religious or political mission and that only persons committed to that mission should conduct those activities. The bill also prohibits public institutions of higher education that have granted recognition of and access to any student organization or group from discriminating against any such student organization or group that limits its core functions to persons committed to its mission.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1074>

SB 1078 State Board for Community Colleges; mental health policies. *(Barker)*

Requires the State Board for Community Colleges to develop a mental health awareness and referral policy that would require community colleges to (i) undertake educational efforts to raise awareness of mental health needs among students and faculty and (ii) designate at least one individual at each college to serve as a point of contact with an emergency services system clinician at a local community services board, or another qualified mental health services provider, for screenings and referrals of students who may have emergency or emerging mental health needs.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1078>

SB 1123 State Shakespeare Festival designated. *(Norment)*

Designates the Virginia Shakespeare Festival held in the Williamsburg (W&M) as the official Shakespeare festival of the Commonwealth.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1123>

SB 1138 Virginia Nuclear Energy Consortium. *(McWaters)*

Establishes the Virginia Nuclear Energy Consortium Authority as a political subdivision of the Commonwealth for the purposes of making the Commonwealth a national and global leader in nuclear energy and serving as an interdisciplinary study, research, and information resource for the Commonwealth on nuclear energy issues. The 17-member board of directors of the Authority is directed to form a nonstock, nonprofit corporation, referred to as the Virginia Nuclear Energy Consortium. Membership in the Consortium is open to specified educational institutions, Virginia-based federal research laboratories, nuclear-related nonprofit organizations, business entities with operating facilities

in Virginia that are engaged in activities directly related to the nuclear energy industry, and other persons whose membership is approved by the Consortium's board of directors. The purposes of the Consortium include carrying out the rights, powers, and duties of the Authority and conducting other activities useful in (i) making the Commonwealth a leader in nuclear energy, (ii) serving as an interdisciplinary study, research, and information resource for the Commonwealth on nuclear energy issues, and (iii) raising money on behalf of the Authority in the corporate and nonprofit community and from other nonstate sources. <http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1138>

SB 1159 Virginia State Bar admission for full-time law school professors. (Marsh)

Allows a full-time law professor to be admitted as an active member of the Virginia State Bar without examination provided that (i) he has been engaged in the full-time practice of law for five of the seven years immediately preceding application for membership to the Virginia State Bar; (ii) he is employed as a full-time professor at an American Bar Association accredited Virginia law school; and (iii) he meets all other requirements for admission to the Virginia State Bar. The bill provides that membership is limited to the period of employment as a full-time professor.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1159>

SB 1175 Teacher licensure; Teach for America license. (Ruff)

Creates a two-year provisional license for participants in Teach for America, a nationwide nonprofit organization focused on closing the achievement gaps among students in low-income areas, who meet certain criteria, including having an offer of employment from a school division in the Commonwealth. The Board of Education may extend each Teach for America license for one additional year and may issue each licensee a renewable license upon completion of two full years of teaching experience, satisfaction of all other requirements for such a license, achievement of satisfactory scores on all professional teachers assessments required by the Board, and achievement of satisfactory end-of-year evaluations. The bill also provides for reciprocity to Teach for America teachers in other states upon satisfaction of certain conditions.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1175>

SB 1176 State Inspector General; powers and duties. (Ruff)

Grants additional powers to the State Inspector General relating to audit functions of state and nonstate agencies. The bill reorganizes the State Inspector General's powers and duties and generally reorganizes the law relating to the Office of the State Inspector General. The bill contains technical amendments.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1176>

HB 1178 Fraud and Abuse Whistle Blower Reward Fund; amount of reward; duties of the State Inspector General. (Ruff)

Reduces the minimum recovery required for an award from the Fraud and Abuse Whistle Blower Reward Fund from \$10,000 to \$5,000 and expands the purposes for which the Fund may be used to include supporting the administration of the Fund, defraying Fund advertising costs, and subsidizing the operation of the Fraud, Waste and Abuse Hotline, all expenditures for which are capped at five percent of the Fund. Under the bill, all moneys recovered by the Office of the State Inspector General as a result of whistle blower activity and alerts originating in the Office shall be deposited into the Fund. The bill also provides that by the end of each quarter 85 percent of all sums recovered be remitted to the

institutions or agencies on whose behalf the recovered sums were secured, unless otherwise directed by a court of law. In addition, the bill (i) authorizes the State Inspector General to split a reward among multiple whistle blowers reporting the same qualifying incident of wrongdoing or abuse, (ii) requires the State Inspector General to submit an annual report to the General Assembly summarizing the activities of the Fund, and (iii) changes the name of the State Employee Fraud, Waste and Abuse Hotline to the Fraud, Waste and Abuse Hotline. The bill contains technical amendments. The bill is identical to HB 1845 <http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=sb1178>

SB 1220 Virginia College Savings Plan; deposit of income tax refunds. (Norment)

Permits taxpayers to direct the Department of Taxation to deposit all or any part of an income tax refund into their Virginia College Savings Plan accounts. The provisions of the bill shall be effective for taxable years beginning on or after January 1, 2014.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1220>

SB 1221 Board of the Virginia College Savings Plan; elected positions. (Norment)

Eliminates the position of secretary from the Board of the Virginia College Savings Plan. The bill also changes the timeframe for the election of Board positions from each calendar year to annually. The bill contains technical amendments.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1221>

SB 1242 Eligibility for in-state tuition charges; military. (Stuart) Clarifies eligibility for in-state tuition of current and former military personnel and their dependents. The bill also grants eligibility for in-state tuition charges to veterans residing within the Commonwealth. This bill is identical to [HB 1461](#).

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=sb1242>

SB 1256 Voter identification requirements; photo ID. (Obenshain)

Requires photo ID at the polls by eliminating all forms of identification that do not contain a photograph of the voter from the list of forms of identification any one of which a voter must present in order to be allowed to vote. The bill also adds a valid United States passport to the list and requires that a student identification card issued by an institution of higher education in the Commonwealth contain a photograph in order to be used by a voter. The bill does not affect the right of a voter who does not present one of the required forms of identification to cast a provisional ballot. The bill also provides that the State Board shall provide voter registration cards that contain a voter's photograph and signature if the voter does not possess other satisfactory photo ID.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1256>

SB 1257 Council on Virginia's Future. (Hanger)

Extends the sunset date from July 1, 2013, to July 1, 2017, for the Council on Virginia's Future.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1257>

SB 1263 Virginia Freedom of Information Act; meeting by electronic communication means by certain committees, subcommittees, etc., of state public bodies; personal matters. (Stuart)

Authorizes an advisory public body, defined as any state public body classified as advisory pursuant to § 2.2-2100 or any committee, subcommittee, or other entity, however designated, of a state public body created to advise the state public body, to meet by electronic communication means without a quorum of the advisory public body being physically assembled at one location, provided, among other requirements, the meeting is conducted utilizing a combined audio and visual communication method. The bill requires any advisory public body holding this kind of electronic communication meeting to make an audiovisual recording of the meeting, which recording shall be preserved by the advisory public body for a period of three years from the date of the meeting. The bill also enhances the annual reporting requirements for any public body authorized to conduct electronic communication meetings and requires the FOIA Council to develop a form that an authorized public body must make available to the public at any such meeting for public comment. The above described provisions of the bill by its terms will expire on July 1, 2014. Finally, the bill allows a member of any public body to participate in a meeting by electronic communication means due to personal matters under certain circumstances. Currently, such remote participation is allowed only for emergency, medical condition, or distance from the meeting location of more than 60 miles. The bill is a recommendation of the Virginia Freedom of Information Advisory Council.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1263>

SB 1265 Capital outlay plan. (Ruff)

Establishes a revised six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources. *(Full text not up, but should be the same as HB 2194.)*

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1265>

SB 1330 Eastern Virginia Medical School; board of visitors. (Northam) Reduces the minimum number of required meetings of the Board of Visitors of the Eastern Virginia Medical School from six per year to four per year.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=sb1330>

SB 1342 Higher education; mental health treatment coordination. (Petersen)

Provides that the governing board of each public four-year institution of higher education may establish written memoranda of understanding with its local community services board or behavioral health authority and with local hospitals and other local mental health facilities in order to expand the scope of services available to students seeking treatment. The bill requires each memorandum to designate a contact person to be notified when a student is involuntarily committed or when a student is discharged from a facility and consents to such notification. The bill also requires each memorandum to include the institution in the post-discharge planning of a student who has been committed and intends to return to campus, to the extent allowable under state and federal privacy laws. This bill is identical to [HB 1609](#).

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=sb1342>

SENATE RESOLUTIONS & JOINT RESOLUTIONS

SJ 324 Confirming Governor's appointments of certain persons. (Obenshain)

Confirms appointments to various positions made by Governor McDonnell and communicated to the General Assembly June 1, 2012. Note – not sure which one includes the W&M appointees.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+ful+SJ324>

SJ 382 Confirming Governor's appointments of certain persons. (Obenshain)

Confirms appointments to various positions made by Governor McDonnell and communicated to the General Assembly June 1, 2012. Note – not sure which one includes the W&M appointees.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SJ382>

BILLS THAT FAILED

HOUSE BILLS

HB 1303 Small businesses; tax credit for hiring graduates of Virginia's public colleges and universities.

(Herring) Establishes, beginning January 1, 2013, an individual and corporate income tax credit for certain small businesses creating new full-time jobs that are filled by persons holding associate's or bachelor's degrees from public institutions of higher education in the Commonwealth. The credit would equal \$2,500 for each such new full-time job. The credit would be claimed for the taxable year at which time the new full-time job was continuously filled for at least 12 months. Any unused credit would be allowed to be carried over for five taxable years. The tax credit would sunset in 2015.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1303>

HB 1380 Assault & battery; includes campus police officers within enhanced penalty provision. (Yost)

Includes campus police within the enhanced penalty provision of the assault and battery section.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1380>

HB 1389 Higher education; allocation of in-state undergraduate tuition and state funds. (Ramadan)

Requires the board of visitors or other governing body of every public institution of higher education to ensure that all funds received from in-state undergraduate tuition are dedicated to the purpose of undergraduate education, that 65 percent of such funds are dedicated to undergraduate instructional expenses, and that 65 percent of all funds received from the Commonwealth for the education and general programs of instruction, academic support, student services, institutional support, and operation and maintenance of the physical plant are dedicated to undergraduate instructional expenses.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1389>

HB 1417 Health insurance; contraception coverage. (Marshall)

Provides that no health insurance plan, regardless of whether such plan consists of self-insurance, purchased insurance, a combination of purchased and self-insurance, or the use of a health maintenance organization, offered by the Commonwealth or any locality to its employees or by any agency, department, division, or institution of the Commonwealth or any locality authorized by law to offer such a plan to its employees is required to include coverage for contraception methods, sterilization procedures, or abortifacient drugs or devices.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=hb1417>

HB 1469 State Inspector General; financial audit of Va's four-year public insts of higher ed. (Bell)

Directs the State Inspector General to conduct a comprehensive financial audit of Virginia's four-year public institutions of higher education, to be completed by July 1, 2015. The bill requires the State Inspector General to submit a report to the Governor and the General Assembly on or before October 15, 2015, detailing any findings or recommendations for improving the efficiency and fiscal practices of such four-year public institutions of higher education, including recommending changes in the law that are necessary to address such findings.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1469>

HB 1490 In-state tuition; Deferred Action for Childhood Arrivals. (Kory) Establishes that a student shall be eligible for in-state tuition if he meets the following criteria: (i) he has graduated from a public or private high school in the Commonwealth or has received a General Education Development (GED) certificate in the Commonwealth, (ii) he has resided in the Commonwealth for at least one year immediately preceding his registration as an entering student in a public institution of higher education in the Commonwealth, and (iii) he has provided an affidavit to the public institution of higher education for which he has registered stating that he has been approved for Deferred Action for Childhood Arrivals by the U.S. Dept of Homeland Security. <http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1490>

HB 1496 Senior citizens; reduced tuition at public insts of higher education in Virginia (Stolle)

Permits a senior citizen whose taxable income exceeded \$15,000 in the year preceding the year in which enrollment is sought to pay reduced tuition at a rate of 25 percent of the total cost for enrollment in courses as a full-time or part-time student for academic credit at a public institution of higher education in the Commonwealth if total student enrollment for the course or courses in which the senior citizen seeks enrollment has not reached 75 percent of the maximum course capacity as of the first day of the academic term. Current law waives tuition for senior citizens whose taxable income was \$15,000 or less in the year preceding the year in which enrollment is sought.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1496>

HB 1504 Commonwealth Teaching Fellows Program established. (Krupicka)

Creates a Commonwealth Teaching Fellows Program in which the Board of Education or a local school division in conjunction with a Virginia college or university with an approved education preparation program may create and serve as Administrator of intensive programs of at least eight weeks in length to prepare career-switchers and recent college graduates who have not completed coursework in education to teach in areas including science, technology, engineering, and math (STEM) and critical teaching shortage areas in public elementary and secondary schools in the Commonwealth. The

Administrator would assist Fellows to secure teaching positions. Any Fellow hired as a teacher by a local school division would be awarded a three-year provisional license to teach, would receive such further training as the Board prescribes, and would have the opportunity to obtain a permanent license upon completion of three years of teaching.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1504>

HB 1525 In-state tuition; undocumented persons. (Rust)

Establishes that an undocumented person who is unlawfully present in the United States shall not be eligible for in-state tuition unless he (i) entered and began residing in the United States prior to his sixteenth birthday; (ii) has graduated from a public or private high school in the Commonwealth or has received a General Education Development (GED) certificate in the Commonwealth; (iii) has registered as an entering student in a public institution of higher education in the Commonwealth; (iv) has resided in the Commonwealth for at least five years immediately preceding his registration as an entering student in an institution of higher education in the Commonwealth; (v) has provided an affidavit to the institution stating that he has filed an application to become a permanent resident of the United States, is actively pursuing such permanent residency or will do so as soon as he is eligible, and that no grounds exist for the denial of such permanent residency; and (vi) has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis, has filed, unless exempted by state law, Virginia income tax returns for at least one year prior to the date of enrollment.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1525>

HB 1537 Student teachers and student teacher supervisors; fingerprinting, criminal history records check, and child abuse and neglect data. (Yost)

Requires any student teacher at an accredited public or private institution of higher education, as a condition of participation in a classroom teaching, internship, clinical, or field experience in a public elementary or secondary school or a private elementary or secondary school in the Commonwealth, to submit to fingerprinting and a criminal history records check. The bill provides that the governing board of the institution of higher education, the local school board, or governing board of the private school may deny a student teacher or student teacher supervisor placement in an elementary or secondary school if the criminal history records check reveals that the student teacher or student teacher candidate has been convicted of a felony or Class 1 misdemeanor in the Commonwealth or an equivalent offense in another state. The bill further requires a student teacher or student teacher supervisor to provide the necessary personal information to conduct a search of the registry of founded complaints of child abuse and neglect in the Commonwealth and to obtain such information from other states if the student teacher has lived in another state in the past five years. The governing board of the institution of higher education, the local school board, or governing board of the private school may deny a student teacher or student teacher supervisor placement in an elementary or secondary school if he is the subject of a founded case of child abuse or neglect.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=hb1537>

HB 1543 Two-Year College Transfer Grant Program; Expected Family Contribution. (Tata)

Broadens eligibility for the Two-Year College Transfer Grant Program by including students whose Expected Family Contribution, as calculated by the federal government using the family's financial information reported on the Free Application for Federal Student Aid (FAFSA), is no more than \$12,000.

Currently the program is available only to students whose Expected Family Contribution is no more than \$8,000. The additional eligibility requirements for the Two-Year College Transfer Grant Program remain the same. <http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1543>

HB 1590 VRS; certain employees in optional retirement plan for insts of higher ed. (O. Ware)

Provides employees in the optional retirement plan for institutions of higher education the opportunity to purchase service credit in the defined benefit plan with accrued contributions and earnings and thereafter be covered under the defined benefit plan.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1590>

HB 1602 Virginia Workforce Council; annual informational brochure for eleventh grade students in public high schools. (Watson)

Requires the Virginia Workforce Council to assist the Governor is developing and annually updating a brochure containing information on vocational and technical job opportunities and trends. The bill also requires the Council to coordinate with local school divisions to distribute a brochure to each eleventh grade student, intended for review by student and parents, near the start of each academic year and to deliver brochures for display in and distribution by the guidance counselor office of each public high school. The bill further requires the Council to coordinate with each local workforce investment board to deliver brochures for display in and distribution by each one-stop center in the Commonwealth.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1602>

HB1650 Admission of students domiciled in Virginia at public insts of higher education. (Hugo)

Provides that the board of visitors or other governing body of each public institution of higher education, except for Virginia Military Institute, Norfolk State University, and Virginia State University, must establish rules and regulations requiring that by the start of the 2018-2019 academic year, at least 75 percent of students admitted and enrolled at the institution are domiciled in Virginia.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1605>

HB 1700 Admission of students domiciled in Virginia at public insts of higher education. (Comstock)

Provides that the board of visitors or other governing body of each public institution of higher education, except for the Virginia Military Institute, Norfolk State University, and Virginia State University, must establish rules and regulations requiring that by the start of the 2018-2019 academic year, at least 75 percent of students admitted and enrolled at the institution are domiciled in Virginia.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1700>

HB 1747 Voter registration; registration activities by third parties. (Cosgrove)

Requires individuals and groups conducting voter registration drives, when obtaining 25 or more voter registration applications from the State Board of Elections or local offices, to register with the State Board or local offices, provide information as required by the State Board, receive training, and execute a sworn affidavit that they will abide by all VA voter registration laws and rules. The bill also prohibits pre-populating registration applications with information unless directed by the applicant to do so. The bill reduces the time limit for mailing or delivering such completed applications from 15 to 10 days.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=hb1747>

HB 1777 Open Education Resources Council & VA Digital Open Source Textbook Library. (Filler-Corn)

Establishes the Virginia Open Education Resources Council to (i) identify and acquire digital open source textbooks to be used in 50 undergraduate courses in public institutions of higher education in the Commonwealth and (ii) develop the Virginia Digital Open Source Textbook Library as the digital repository of such open source textbooks. The Council shall be staffed by one faculty member from each public institution of higher education in the Commonwealth.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1777>

HB 1812 Real property owned by the Commonwealth; local service charges. (McQuinn)

Alters the provisions governing local service charges on property owned by the Commonwealth (i) by including the value of hospitals and educational institutions owned by the Commonwealth in calculating the threshold that must be met before a locality may impose the service charge (under current law, the value of property owned by the Commonwealth must exceed 3% of the total value of all real property in the locality) and (ii) by including emergency medical services in the services whose cost is used to determine the amount of the service charge.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=hb1812>

HB 1875 Boards of visitors and the State Board for Community Colleges; faculty member. (McClellan)

Adds one faculty member to the board of visitors of each public institution of higher education and of the State Board for Community Colleges to be appointed by the other members of the board for a four-year term after election by the respective institution's faculty senate. The faculty member has voting privileges. Currently, each board of visitors and the State Board for Community Colleges may appoint one or more nonvoting advisory faculty members for a term of at least one year from a list of individuals elected by the respective institution's faculty senate. The bill contains technical amendments.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1875>

HB 1881 University of Virginia Board of Visitors; composition. (Morrisey)

Adds two members to the University of Virginia Board of Visitors: one member of the faculty senate, nominated by the faculty senate and approved by the remainder of the board, and one currently enrolled student, nominated by the dean of students and approved by the remainder of the board.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1881>

HB 1882 Virginia Public Procurement Act; resident employment and apprenticeship participation; required contract provisions. (Morrisey)

Requires all public bodies to include in every contract of more than \$100,000 that involves the performance of work within the Commonwealth provisions requiring the contractor to agree (i) that 51 percent of all positions created in performance of the contract be filled by Virginia residents, (ii) that 35 percent of the total hours worked by apprentices in positions created in performance of the contract be performed by Virginia residents, and (iii) to use the Virginia Employment Commission as the first source of referral for obtaining qualified applicants for any new position. Under the bill, "new position" shall not include a position that is filled by a current employee of the contractor or an individual who was previously laid off by the contractor. The bill provides that it does not apply to any contracts for professional services.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1882>

HB 1934 In-state tuition; undocumented persons. (Lopez)

Establishes that an undocumented person who is unlawfully present in the United States shall not be eligible for in-state tuition unless he meets all of the following criteria: (i) he has resided with his parent, guardian, or other person standing in loco parentis while attending a public or private high school in the Commonwealth; (ii) he has graduated from a public or private high school in the Commonwealth or has received a General Education Development (GED) certificate in the Commonwealth; (iii) he has registered as an entering student in an institution of higher education in the Commonwealth; (iv) he has resided in the Commonwealth for at least three years immediately preceding his registration as an entering student in an institution of higher education in the Commonwealth or for one year if he is a veteran or an active duty member of the United States armed forces; (v) he has provided an affidavit to the institution stating that he has filed an application to become a permanent resident of the United States and is actively pursuing such permanent residency or will do so as soon as he is eligible; and (vi) he has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis, has filed, unless exempted by state law, Virginia income tax returns for at least three years prior to the date of enrollment.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1934>

HB 1940 Faculty representatives to the State Board for Community Colleges, local community college boards, and boards of visitors; student representatives to boards of visitors. (Landes)

Requires the State Board for Community Colleges, local community college boards, and boards of visitors of any four-year public institution of higher education to appoint one or more nonvoting, advisory faculty representatives to their respective boards. Current law permits, but does not require, such appointments. The bill removes the option for local community college boards and boards of visitors to choose faculty representatives from individuals elected by the institution's faculty. The bill further requires boards of visitors to choose nonvoting, advisory student representatives from individuals elected by the institution's student government.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1940>

HB 1951 Virginia Public Procurement Act; bid match preference for Virginia businesses. (Yancey)

Provides a bid match preference for Virginia business. Under the bill, a Virginia business has an opportunity to match the lowest bid of an out-of-state bidder if the bid of a Virginia business is within five percent of the lowest bid of an out-of-state bidder.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1951>

HB 1976 Virginia Commission on Higher Education Board Appointments. (Toscano)

Clarifies that the Virginia Commission on Higher Education Board Appointments is required to evaluate potential appointees to higher education governing boards and to make recommendations to the Governor. Currently, these actions are considered powers and duties of the Commission and the Commission only makes recommendations upon the request of the Governor. The bill also requires the Commission to consider each list of qualified persons submitted to the Governor by the alumni association of any public institution of higher education.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1976>

HB 1978 University of Virginia Board of Visitors; composition and quorum. (Toscano)

Requires at least one member of the University of Virginia Board of Visitors to have administrative experience at an institution of higher education or have experience as a professor in the study of higher education. The bill also requires the board of visitors to appoint a faculty representative to serve in a nonvoting advisory capacity. The bill changes the number of board members that constitutes a quorum from five members to a majority of members. Finally, the bill removes the requirement that the vice-rector automatically succeeds the rector upon expiration of the rector's term.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1978>

HB 1992 State grievance procedure; review of hearing decisions. (McClellan)

Provides that upon the request of a party to a grievance hearing for an administrative review of the hearing decision based on the party's assertion that the hearing decision is inconsistent with a proper interpretation or application of a policy that constituted a material issue in the grievance that formed or should have formed in whole or in part the basis for the hearing decision, the Director of the Department of Human Resource Management shall determine within 60 days of the request, whether the decision is consistent with policy. The bill specifies that the Director's determination shall be made as an independent, de novo review of the grievance and the Director shall identify those factual findings in the hearing decision that are relevant and material to the policy in question and explain whether those findings support the hearing decision relating to the application of the policy in question. Currently, upon the request of a party to a grievance hearing for an administrative review of the hearing decision, the Director of the Department of Human Resource Management must determine within 30 days of the conclusion of any other administrative review, whether the hearing decision is consistent with policy.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB1992>

HB 2021 Public employment; nondiscrimination. (LeMunyon)

Prohibits discrimination in public employment based on race, color, religion, political affiliation, national origin, sex, age, disability, or any other reason except reasons related to skills, knowledge, or ability. The bill contains technical amendments.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2021>

HB 2074 Virginia Information Technologies Agency; procurement of information technology and telecommunications by state agencies. (Robinson)

Clarifies that all information technology and telecommunications goods and services of every description procured on behalf of state agencies may only be purchased by the Virginia Information Technologies Agency (VITA) and details VITA's role in all aspects of the procurement of such goods and services on behalf of state agencies. In addition, the bill provides that any contract for information technology or telecommunications goods or services entered into by a state agency or institution without written authorization from VITA shall be void and prohibits the Comptroller from issuing payment under any contract for information technology and telecommunications goods and services not approved or authorized by VITA.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2074>

HB 2075 IEIA; Commonwealth Innovation and Entrepreneurship Measurement System. (Poindexter)

Authorizes the Innovation and Entrepreneurship Investment Authority to create the Commonwealth Innovation and Entrepreneurship Measurement System as a tool to measure areas within the Commonwealth worthy of economic development and institutional focus in furtherance of the Commonwealth Research and Development Strategic Roadmap.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2075>

HB 2078 Public procurement; design-build; construction mngt; protests; private investment. (Peace)

Increases public notice of requests for proposals from 10 to 30 days. The bill also (i) limits the use of competitive negotiation for construction projects, including certain public institutions of higher education, for which the aggregate or sum of all phases is not expected to exceed \$10 million, the nature of the project is such that it is unusually complex or extraordinary conditions exist, and the Director of the Department of General Services and the Secretary of Administration certify such conditions exist; (ii) requires posting on eVa and other appropriate websites for state and local public bodies using certain methods of procurement; (iii) changes the process for procurement of design-build or construction management projects; and (iv) allows a bidder or offeror to protest a public body's use of competitive negotiation. The bill contains technical amendments.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2078>

HB 2094 Public schools; Virginia Longitudinal Data System established. (Watson)

Requires the Board of Education to establish the Virginia Longitudinal Data System to track and examine student progress from early childhood to postsecondary education to the student entering the workforce. The bill also establishes the Virginia Longitudinal Data System Advisory Council to advise the Board of Education on all matters related to the Virginia Longitudinal Data System.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2094>

HB 2097 Career Pathways System Advisory Council; established. (James)

Establishes the Career Pathways System Advisory Council. The purpose of the council is to ensure the coordination and collaboration of career and technical education, adult education, and workforce development programs through business-driven sector strategies that provide for sequences of education and training articulated with higher levels of education and regional and state workforce needs and that also provide career coaching and advising support services and experiential learning. The Council will develop workforce readiness indicators, in coordination with the Virginia Workforce Council and the Council on Virginia's Future, which will include enrollment and graduation statistics in secondary, postsecondary, and adult education programs in science, technology, engineering, math, or health care-related areas; numbers of targeted industry certifications; and the Commonwealth's education and training capacity for key industry sectors, and will produce a scorecard documenting progress in these areas. The scorecard will also include a report on the progress of interagency collaboration and shared funding for the purposes of attaining select education and workforce development goals. The bill includes a sunset provision of July 1, 2016.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2097>

HB 2125 Virginia Freedom of Information Act; requests for records. (Keam)

Provides that FOIA requests may be made by any citizen of the United States and not just citizens of the Commonwealth. The bill also allows a public body to require prepayment before providing requested records when the cost for production of the records is likely to exceed \$100.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=hb2125>

HB 2134 Virginia Freedom of Information Act; state agencies to post schedule of costs for producing records. (Keam) Adds a requirement that each state public body created in the executive branch of state government and subject to FOIA make available to the public upon request a schedule of charges associated with the production of requested records that may be assessed by the public body under FOIA. The bill also requires the schedule of charges to be posted on the respective websites of state executive branch agencies.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=hb2134>

HB 2159 In-state tuition; Deferred Action for Childhood Arrivals. (Lopez)

Establishes that a student shall be eligible for in-state tuition if (i) he has provided an affidavit to the public institution of higher education for which he has registered stating that he has been approved for Deferred Action for Childhood Arrivals by the U.S. Department of Homeland Security, (ii) he has graduated from a public or private high school in the Commonwealth or has received a General Education Development (GED) certificate in the Commonwealth, (iii) he has resided in the Commonwealth for at least three years immediately preceding his registration as an entering student in a public institution of higher education in the Commonwealth, and (iv) he has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis, has filed, unless exempted by state law, Virginia income tax returns for at least three years prior to the date of enrollment.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2159>

HB 2168 Virginia Retirement System; hybrid retirement program. (W. Howell)

Increases the maximum amount of the employer's matching contribution on behalf of the employee from 2.5 percent of creditable compensation to 2.8 percent of creditable compensation.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2168>

HB 2212 VA Public Procurement Act; women-owned & minority-owned businesses. (McQuinn)

Provides that the Governor shall require state agencies to implement appropriate enhancement or remedial measures consistent with prevailing law when a persuasive analysis exists that documents statistically significant disparity between the availability and utilization of women-owned and minority-owned businesses.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2212>

HB 2230 Virginia Commission on Higher Education Board Appointments; composition. (Bulova)

Adds a tenured faculty member from a four-year public institution of higher education and a faculty member from a community college to the VA Commission on Higher Education Board Appointments.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HB2230>

HOUSE RESOLUTIONS & JOINT RESOLUTIONS

HJ 574 Constitutional amendment; fundamental rights of parents. *(Pogge)*

Provides that the right of parents to direct the care, upbringing, and education of their children is a fundamental right that shall not be infringed upon by the Commonwealth without a demonstration that the interest of the Commonwealth is of the highest order and not otherwise served.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HJ574>

HJ 645 Alcohol and substance abuse on college campuses. *(McQuinn)*

Encourages the institutions of higher education in Virginia to heighten awareness of the perils of alcohol and substance abuse on college campuses. The resolution notes that parents and college officials must work collaboratively, concertedly, and decisively to educate college students concerning the dangers of alcohol and prescribed and controlled substance abuse.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HJ645>

HJ 657 Study; Department of Veterans Services; report. *(Krupicka)*

Requests the Department of Veterans Services to study the unmet needs of Virginia's veteran population and assess the level of preparedness of state and local governments and other service providers to meet those needs. The Department shall recommend whatever changes in law and policy deemed necessary to ensure Virginia veterans have access to the services they need and that the Commonwealth, both at the state and local level, is prepared to provide such services.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+HJ657>

SENATE BILLS

SB 701 State government employment; nondiscrimination. *(McEachin)*

Prohibits discrimination in state employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a special disabled veteran or other veteran covered by the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended. 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" shall not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill contains technical amendments.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB701>

SB 781 VA Public Procurement Act; women-owned & minority-owned businesses *(McEachin)*

Provides that the Governor shall require state agencies to implement appropriate enhancement or remedial measures consistent with prevailing law when a persuasive analysis exists that documents statistically significant disparity between the availability and utilization of women-owned and minority-owned businesses. <http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB781>

SB 789 Employees; equal compensation irrespective of sex. (McEachin)

Amends existing law requiring equal pay for equal work irrespective of sex to (i) increase the penalty for a violation from double unpaid wages to triple unpaid wages plus reasonable attorney fees; (ii) prohibit employers from punishing employees for sharing salary information with their coworkers; and (iii) prohibit unequal provision of benefits and privileges.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=sb789>

SB 814 Nursing education programs; minimum examination passage rates. (Wagner) Requires approved nursing education programs to maintain a minimum passage rate among graduates taking the national licensing examination required for licensure as a professional or practical nurse for the first time that is not lower than 10 percentage points less than the national average passage rate, and provides that in cases in which an approved nursing education program fails to maintain a satisfactory passage rate in two consecutive years, the Board of Nursing shall cause a survey of the program to be made and may place the program on conditional approval with terms and conditions.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=sb814>

SB 816 Payment of wages to employees. (McEachin)

Requires employers to maintain and preserve records regarding the rate of pay, hours worked, earnings due, wages paid, and related matters for each employee. The measure provides a standard for how an employee, in an action to collect unpaid wages, may meet his burden of establishing that he is entitled to the wages. The measure also amends an employee's existing private right of action for unpaid wages by requiring the court to award attorney fees and other costs to a prevailing employee. In such a proceeding, unless the employer shows good faith, the court shall award to the employee three times the amount of unpaid wages. An action for unpaid wages shall be commenced within two years after the action accrued, or within three years if the violation is willful.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=sb816>

SB 838 State employees not participating in Virginia Sickness and Disability Program (Carrico)

Provides state employees who commenced employment or were rehired before January 1, 1999, and elected to not participate in the Virginia Sickness and Disability Program the option of converting accumulated sick leave into service credit under the Virginia Retirement System. Such option would be available from May 1, 2013, to June 30, 2013. The bill contains an emergency clause.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB838>

SB 848 Tax credits for donations to organizations providing scholarships to certain students. (Edwards)

Creates a 65 percent tax credit for donations to scholarship foundations to pay for qualified educational expenses for students enrolled in an associate degree program at a Virginia two-year college based on science, technology, engineering, math, education, or nursing. Scholarship foundations eligible to receive such donations would be preapproved by the State Council of Higher Education for Virginia.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB848>

SB 856 Boards of visitors; requirements for members of 4-year public higher ed institutions. (Petersen)

Requires members of boards of visitors of four-year public institutions of higher education to have served four years on the board prior to being elected or appointed rector. The bill stipulates that such rectors shall serve four-year terms. The bill also changes the terms of all visitors from four years to six years. The bill contains technical amendments.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB856>

SB 955 Public schools; teacher licensure. (Ruff) Directs the Board of Education to establish criteria in its regulations governing licensure that exempts any person seeking initial licensure from coursework and professional teacher's assessment requirements if such person graduated with a baccalaureate degree in science, technology, engineering, or mathematics in the top 10 percent of his graduating class from a regionally accredited institution of higher education.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB955>

SB 990 Virginia Public Procurement Act; bid match preference for VA businesses. (Miller, J.)

Provides a bid match preference for Virginia business. Under the bill, a Virginia business has an opportunity to match the lowest bid of an out-of-state bidder if the bid of a Virginia business is within five percent of the lowest bid of an out-of-state bidder.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB990>

SB 1069 Public schools; Virginia Longitudinal Data System established. (Carrico)

Requires the Board of Education to establish the Virginia Longitudinal Data System to track and examine student progress from early childhood to postsecondary education to the student entering the workforce. The bill also establishes the Virginia Longitudinal Data System Advisory Council to advise the Board of Education on all matters related to the Virginia Longitudinal Data System.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1069>

SB 1085 Virginia Commission on Higher Education Board Appointments. (Deeds)

Clarifies that the Virginia Commission on Higher Education Board Appointments is required to evaluate potential appointees to higher education governing boards and to make recommendations to the Governor. Currently, these actions are considered powers and duties of the Commission and the Commission only makes recommendations upon the request of the Governor. The bill also requires the Commission to consider each list of qualified persons submitted to the Governor by the alumni association of any public institution of higher education.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1085>

SB 1086 University of Virginia Board of Visitors; composition and quorum. (Deeds)

Requires at least one member of the University of Virginia Board of Visitors to have administrative experience at an institution of higher education or have experience as a professor in the study of higher education. The bill also requires the board of visitors to appoint a faculty representative to serve in a nonvoting advisory capacity. The bill changes the number of board members that constitutes a quorum from five members to a majority of members. Finally, the bill removes the requirement that the vice-rector automatically succeeds the rector upon expiration of the rector's term.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1086>

SB 1087 The University of Virginia; board of visitors. (Edwards)

Changes the composition of the Board of Visitors of the University of Virginia from 17 visitors appointed by the Governor to 13 visitors appointed by the Governor and four visitors directly elected by the alumni of the University of Virginia. <http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1087>

SB 1090 In-state tuition; undocumented persons. (McEachin)

Establishes that an undocumented person who is unlawfully present in the United States shall not be eligible for in-state tuition unless he meets all of the following criteria: (i) he has resided with his parent, guardian, or other person standing in loco parentis while attending a public or private high school in this state; (ii) he has graduated from a public or private high school in the Commonwealth or has received a General Education Development (GED) certificate in the Commonwealth; (iii) he has registered as an entering student in a public institution of higher education in the Commonwealth; (iv) he has resided in the Commonwealth for at least three years immediately preceding his registration as an entering student in an institution of higher education in the Commonwealth or for at least one year if he is a veteran or an active duty member of the United States armed forces; (v) he has provided an affidavit to the institution stating that he has been approved for Deferred Action for Childhood Arrivals by the U.S. Department of Homeland Security; and (vi) he has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis has filed, unless exempted by state law, Virginia income tax returns for at least three years prior to the date of enrollment. <http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1090>

SB 1098 Two-Year College Transfer Grant Program; Expected Family Contribution. (Hanger)

Broadens eligibility for the Two-Year College Transfer Grant Program by including students whose Expected Family Contribution, as calculated by the federal government using the family's financial information reported on the Free Application for Federal Student Aid (FAFSA), is no more than \$12,000. Currently the program is available only to students whose Expected Family Contribution is no more than \$8,000. The additional eligibility requirements for the Two-Year College Transfer Grant Program remain the same.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1098>

SB 1157 Commonwealth Teaching Fellows Program established. (Barker) Creates a Commonwealth Teaching Fellows Program in which the Board of Education or a local school division in conjunction with a Virginia college or university with an approved education preparation program may create and serve as Administrator of intensive programs of at least eight weeks in length to prepare career-switchers and recent college graduates who have not completed coursework in education to teach in areas including science, technology, engineering, and math (STEM) and critical teaching shortage areas in public elementary and secondary schools in the Commonwealth. The Administrator would assist Fellows to secure teaching positions. Any Fellow hired as a teacher by a local school division would be awarded a three-year provisional license to teach, would receive such further training as the Board prescribes, and would have the opportunity to obtain a permanent license upon completion of three years of teaching. <http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1157>

SB 1170 Virginia Public Procurement Act; resident employment and apprenticeship participation; required contract provisions. (Deeds)

Requires all public bodies to include in every contract of more than \$100,000 that involves the performance of work within the Commonwealth provisions requiring the contractor to agree (i) that 51 percent of all positions created in performance of the contract be filled by Virginia residents, (ii) that 35 percent of the total hours worked by apprentices in positions created in performance of the contract be performed by Virginia residents, and (iii) to use the Virginia Employment Commission as the first source of referral for obtaining qualified applicants for any new position. Under the bill, "new position" does not include a position that is filled by a current employee of the contractor or an individual who was previously laid off by the contractor. The required provisions do not apply to any contracts for the procurement of professional services. <http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1170>

SB 1184 Virginia Information Technologies Agency; procurement of information technology and telecommunications by state agencies. (Vogel)

Clarifies that all information technology and telecommunications goods and services of every description procured on behalf of state agencies may only be purchased by the Virginia Information Technologies Agency (VITA) and details VITA's role in all aspects of the procurement of such goods and services on behalf of state agencies. In addition, the bill provides that any contract for information technology or telecommunications goods or services entered into by a state agency or institution without written authorization from VITA shall be void and prohibits the Comptroller from issuing payment under any contract for information technology and telecommunications goods and services not approved or authorized by VITA. <http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1184>

SB 1188 Career Pathways System Advisory Council; established. (Martin)

Establishes the Career Pathways System Advisory Council. The purpose of the council is to ensure the coordination and collaboration of career and technical education, adult education, and workforce development programs through business-driven sector strategies that provide for sequences of education and training articulated with higher levels of education and regional and state workforce needs and that also provide career coaching and advising support services and experiential learning. The Council will develop workforce readiness indicators, in coordination with the Virginia Workforce Council and the Council on Virginia's Future, which will include enrollment and graduation statistics in secondary, postsecondary, and adult education programs in science, technology, engineering, math, or health care-related areas; numbers of targeted industry certifications; and the Commonwealth's education and training capacity for key industry sectors, and will produce a scorecard documenting progress in these areas. <http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1188>

SB 1290 Higher education; partial tuition waiver for dependent children of faculty. (Edwards)

Requires public institutions of higher education to grant a 50 percent tuition waiver to dependent students of current full-time faculty members who have been employed full time by any one or more public Virginia colleges or universities for an aggregate period of at least seven years if sufficient funds are available in the Dependent Children of University and College Faculty Reduced Tuition Fund, which is created in the bill. The waiver would be valid at any public institution of higher education in Virginia. The provisions of the bill are contingent on funding in a general appropriation act. <http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1290>

SB 1344 The State Council of Higher Education; accrediting agencies. (*Petersen*) Prohibits the State Council of Higher Education from recognizing or relying on the ratings of any national or regional accrediting agency unless such agency is certified by the Council.

<http://lis.virginia.gov/cgi-bin/legp604.exe?ses=131&typ=bil&val=sb1344>

SB 1357 Eligibility of graduate students for unemployment benefits. (*Norment*) Disqualifies a graduate student from receiving unemployment compensation benefits based on services performed as a student summer employee during a summer break period, if the individual was notified in writing at the time of his hiring that his employment is only for the summer break period.

<http://lis.virginia.gov/cgi-bin/legp604.exe?131+sum+SB1357>