2014 GENERAL ASSEMBLY SESSION:
HIGHER EDUCATION-RELATED BILLS AND RESOLUTIONS

BILLS & RESOLUTIONS THAT PASSED

HOUSE BILLS

HB 132 Commissioned officers; tuition-free instruction. *(Lingamfelter)*
Adds the departments of emergency management, emergency services, public safety, and disaster management to the list of departments at state institutions of higher education in which commissioned officers of the organized militia and the Governor's military staff may receive instruction for a period not exceeding 10 months without being required to pay any fee or charge for tuition. SCHEV, in consultation with the Department of Military Affairs, shall establish guidelines for the implementation of the act.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB132

HB 133 Two-Year College Transfer Grant Program; award amount & eligibility criteria. *(Cole)*
Permits a student to enroll in a four-year institution by the spring following the award of an associate's degree and remain eligible for a grant under the program. Current law requires a student to enroll in a four-year institution by the following fall to be eligible. Does NOT increase from $8,000 to $12,000 the maximum Expected Family Contribution, as was proposed in the introduced version and in the Governor's amendments.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB133

HB 193 VA FOIA; participation in meetings; emergency or personal matters. *(Minchew)*
Removes the requirement that a public body approve by a majority vote of the members present at a meeting the remote participation in the meeting by one of its members. The bill instead requires the public body to approve by a majority vote a policy allowing participation of its members by electronic communication. Once adopted, the public body shall apply this policy uniformly to its entire membership, without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB193

HB 203 Virginia College Savings Plan; incorporated government agency. *(O'Bannon)*
Declares the Virginia College Savings Plan to be a body politic and corporate.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB203

HB 205 Boards of visitors; student-athlete discipline policies. *(Landes)*
Requires the board of visitors or other governing board of each public institution of higher education in the Commonwealth to establish policies for the discipline of students who participate in varsity intercollegiate athletics. The bill requires such policies to include a provision requiring an annual report by the administration of the institution to the board of visitors or other governing board regarding enforcement actions taken pursuant to such policies.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB205

HB 206 Four-year public insts of higher ed; mental health resources, online modules and assessment. *(Hope)*
Requires each four-year public institution of higher education in the Commonwealth to create and feature on its website a page with information dedicated solely to the mental health resources available to students at the institution. The bill has a delayed effective date of July 1, 2015. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB206

HB 219 VA FOIA; record exemption for certain letters of recommendation. (Albo)
Adds a record exemption for educational institutions for confidential letters and statements of recommendation placed in the records of educational agencies or institutions respecting an application for promotion. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB219

HB 258 Restrictions on student speech at institutions of higher education; limitations. *(Lingamfelter)* Prohibits public institutions of higher education from imposing restrictions on the time, place, and manner of student speech that occurs in the outdoor areas of the institution's campus and is protected by the First Amendment to the United States Constitution unless the restrictions (i) are reasonable, (ii) are justified without reference to the content of the regulated speech, (iii) are narrowly tailored to serve a significant governmental interest, and (iv) leave open ample alternative channels for communication of the information. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB258

HB 355 VCU Health System Authority; chairman of the Board of Directors. *(Cox)*
Requires the President of Virginia Commonwealth University to serve as the chairman of the Board of Directors of the Virginia Commonwealth University Health System Authority. The bill also provides that in the event that the majority of the Board of Directors of the Authority and the Board of Visitors of the University disagree upon the selection, removal, or conditions of employment, including salary, of the Chief Executive Officer, each board shall appoint a committee of three members of its board to consider the matters upon which the boards disagree. If the majority voters of each committee agree upon the selection, removal, or conditions of employment of the Chief Executive Officer, the Board of Directors and the Board of Visitors will be bound by that decision. If the majority voters of each committee disagree upon the selection, removal, or conditions of employment of the Chief Executive Officer within 30 days, the President

of the University shall decide the matters upon which the committees disagree, and each board will be bound by that decision. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB355

HB 356 VCCS; quorum and main office of the State Board for Community College. *(Cox)*
Removes the requirement that the main office of the State Board for Community Colleges be located in the City of Richmond and permits the main office to be located anywhere in the Commonwealth. The bill also changes from seven to eight the number of members of the Board that constitute a quorum for all purposes. The bill contains technical amendments. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB356

HB 375 Patent infringement; assertions made in bad faith. *(O'Quinn)*
Prohibits any person from making in bad faith an assertion of patent infringement. The Attorney General or an attorney for the Commonwealth is empowered to accept assurances of voluntary compliance and seek injunctive relief. The Attorney General is authorized to issue civil investigative demands. The measure does not create a private cause of action. The measure does not apply to a demand letter or assertion of patent infringement that includes a claim for relief arising under 35 U.S.C. § 271(e)(2) or 42 U.S.C. § 262. This bill is identical to SB 150.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB375

HB 389 Unemployment compensation; voluntary separation presumed. *(Minchew)*
Establishes a rebuttable presumption that an individual left work voluntarily if the individual was a graduate student whose employment commenced and ended between spring and fall semesters of his academic program and he returned to his academic program following his separation from employment. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB389

HB 436 Public institutions of higher education; year-round instruction . *(LeMunyon)*
Repeals the section of the Code of Virginia that continues in effect a chapter of the Acts of Assembly that directs certain public institutions of higher education to be placed on a year-round basis of instruction as soon as their financial resources will warrant to expedite the training of teachers. The bill is a recommendation of the Code Commission. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB436

HB 465 University of Virginia Board of Visitors; executive committee. *(Massie)*
Increases from six to seven the maximum number of members of the University of Virginia Board of Visitors permitted to serve on the executive committee. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB465

HB 467 State Council of Higher Education for Virginia; interstate agreements *(Massie)*
Authorizes the State Council of Higher Education for Virginia (SCHEV) to enter into interstate reciprocity agreements authorizing postsecondary distance education. SCHEV will administer the agreements and will approve or disapprove participation in the agreements by degree-granting institutions of higher education in the Commonwealth. Participation in the agreements by the institutions is voluntary. The bill also requires SCHEV to establish the Distance Learning Reciprocity Advisory Council, which will include representatives from each participating institution. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB467

HB 501 Counting students granted in-state tuition for certain purposes. *(Lingamfelter)*
Requires students who live outside the Commonwealth, have been employed full time inside Virginia for at least one year, and were granted in-state tuition to be counted as in-state students for the purposes of determining college admissions, enrollment, and tuition and fee revenue policies. The bill requires (i) any person who is enrolled in certain programs, domiciled in, and entitled to reduced tuition charges in a Southern Regional Education Compact member state that has similar reciprocal provisions for persons domiciled in Virginia, (ii) any student from a foreign country who is enrolled in a foreign exchange program during the same period that an exchange student from the same state institution entitled to in-state tuition is attending the foreign institution, (iii) any high school or magnet school student who is enrolled in courses specifically designed as part of the high school or magnet school curriculum in a community college pursuant to a dual enrollment agreement, and (iv) any active duty members, activated guard or reservist members, or guard or reservist members mobilized or on temporary active orders for six months or more residing in Virginia granted in-state tuition to be counted as out-of-state students for the purposes of determining college admissions, enrollment, and tuition and fee revenue policies. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB501

HB 563 Virginia Center for School Safety; name change. *(Hodges)*
Changes the name of the Virginia Center for School Safety to the Virginia Center for School and Campus Safety. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB563

HB 576 Virginia Military Survivors & Dependents Education Program; residency reqs. *(Stolle)*
Deems certain surviving spouses and dependents of military service eligible for the Virginia Military Survivors and Dependents Education Program if the service member through whom they claim eligibility (i) has had a physical presence in Virginia for at least five years immediately prior to the date on which the admission application to the public institution of higher education was submitted; (ii) had a physical presence in Virginia on the date of his death and for at least five years immediately prior to his death; (iii) is deceased and the surviving parent of the qualifying child has had a physical presence in Virginia for at least five years immediately prior to the date on which the admission application to the public institution of higher education was submitted; and (iv) is deceased and the surviving spouse has had a physical presence in Virginia for at least five years prior to the date on which the admission application was submitted by the qualified spouse. Current law requires bona fide domiciliary status in Virginia in these circumstances. This bill is identical to SB 481. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB576

HB 587 Campus police/security depts; DCJS identify minimum core operational functions. *(Yost)*
Requires the Department of Criminal Justice Services to identify minimum core operational functions for college campus police and security departments. In identifying minimum core operational functions, the Department shall determine the cost to bring existing departments into compliance with such functions and legislative amendments needed in order to require compliance. This bill is identical to SB 440.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB587

HB 700 Optional retirement plans maintained by institution of higher education. *(Ingram)*
Allows the governing board of an institution of higher education that has established its own optional retirement plan to establish a policy regarding the number of years of service that an employee must perform before being entitled to receive all contributions made by the institution on his behalf to the plan. The policy would only apply to employees hired on or after July 1, 2014, who are not in continuous service at the time of hiring. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB700

HB 703 Virginia Freedom of Information Act; record exemption for administrative investigations by public institutions of higher education. *(Gilbert)*
Exempts from FOIA administrative investigations conducted by a public institution of higher education relating to individual employment discrimination complaints or audits/investigations of any officer, department, or program at such institutions. This bill is identical to SB 78. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB703

HB 725 Advisory Board on Teacher Education and Licensure; membership. *(McClellan)*
Increases from 19 to 21 the total number of members and increases from two to four the number of members who shall be faculty members in teacher preparation programs in public or private institutions of higher education on the Advisory Board on Teacher Education and Licensure. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB725

HB 749 Virginia Information TechnologiesAgency; private institutions of higher education. ***(Rust)***
Provides for the Virginia Information Technologies Agency (VITA) to allow private institutions of higher education chartered in Virginia and 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. The bill also requires VITA to seek the assistance of the Council of Independent Colleges in Virginia and the Division of Purchase and Supply of the Dept of General Services in establishing and maintaining a list of private educational institutions authorized to make such purchases.http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB749

HB 869 Bonds; capital projects at institutions of higher learning. *(Jones)*
Authorizes the Treasury Board to issue bonds pursuant to Article X, Section 9 (c) of the Constitution of Virginia in an amount up to $245,020,705 plus financing costs to finance revenue-producing capital projects at institutions of higher learning. The bill contains an emergency clause. And it includes $16 million for W&M dormitory renovation. This bill is identical to SB 394. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB869

HB 886 State Council of Higher Education; postsecondary education and employment data. *(Peace)* Requires the State Council of Higher Education to disseminate to each public high school and each institution of higher education in the Commonwealth for which the Council has student-level data a link on its website to certain published postsecondary education and employment data. The bill requires each institution of higher education to provide the link and each local school board to provide annual notice on its website to each enrolled high school student and his parents about the availability of such data. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB886

HB 925 Driver education instructors. *(Greason)* Allows institutions of higher education to offer courses required to become driver education instructors. This is identical to SB 554.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB925

HB 1009 Workforce Development *(Byron)*
Recasts the Virginia Workforce Council as the Virginia Board of Workforce Development. The Governor is authorized to appoint a Chief Workforce Development Advisor, and related responsibilities of the Governor are assigned to the Chief Workforce Development Advisor, who shall serve as lead staff to the Board. The Office of the Chancellor of the Virginia Community College System will provide staff support to accomplish the federally mandated requirements of the federal Workforce Investment Act. Staff support for the other duties and functions of the Board are to be provided by personnel from the Offices of the Secretaries of Education and Commerce and Trade pursuant to a memorandum of agreement. The bill decreases the membership from 31 to 26 and authorizes the Governor to select his designee from among the cabinet-level officials appointed to the Board. The bill also directs the establishment of an executive committee of the Board, which shall establish meeting agendas, approve reports to the Governor, and respond to certain urgent issues between scheduled Board meetings. The Board is also authorized to establish such other committees as it deems necessary, including (i) a committee to accomplish the federally mandated requirements of the WIA, (ii) an advanced technology committee, (iii) a performance and accountability committee, and (iv) a military transition assistance committee. The bill also establishes the Advanced Manufacturing Advisory Council to advise the Governor, General Assembly, and Board and to coordinate services, resources, and requests among agencies and institutions of higher education involved or requesting to be involved in the delivery of education and advanced manufacturing workforce training. Finally, the measure repeals the Advantage Virginia Incentive Program, Fund, and Foundation. http://lis.virginia.gov/cgi-bin/legp604.exe?ses=141&typ=bil&val=hb1009&submit=GO

HB 1053 Office of the State Inspector General; powers and duties; internal auditors. *(Miller)* Provides that the performance review of a state agency, nonstate agency, or independent contractor of a state agency conducted by the Office of the Inspector General include assessment of the effectiveness, efficiency, or economy of the agency's programs. The bill gives the State Inspector General the discretion to refer certain complaints to the internal audit department of public institutions of higher education. The bill provides that the State Inspector General may provide assistance for investigations as may be requested by the public institution of higher education. In addition, the bill exempts from mandatory disclosure under the Virginia Freedom of Information Act the investigative notes, correspondence and information furnished in confidence, and records otherwise exempted by law that are provided to or produced by or for internal auditors appointed by the head of a state agency or the board of visitors of a public institution of higher education. The bill contains technical amendments. HB 287 is incorporated into this bill. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB1053

HB 1102 Longwood University Board of Visitors; removal of visitors. *(Edmunds)* Provides that if any member of the LU Board of Visitors fails to perform the duties of his office for one year without sufficient cause shown to the board, the office of such visitor shall be vacated. The bill also provides that if so many of such visitors fail to perform their duties that a quorum is not met for a year, the rector, any member of the board, or the president of LU may certify such fact to the Governor and the offices of all visitors failing to attend shall be vacated. This bill is identical to SB 581. (Note – LU requested this bill.) http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB1102

HB 1109 Virginia Commission on Higher Ed Board Appointments; membership. *(Bulova)* Increases the membership of the Virginia Commission on Higher Education Board Appointments from seven to eight by adding one non-voting faculty member of a public institution of higher education. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB1109

HB1137 Public institutions of higher education; unfunded scholarships. *(Cox)* Adds graduate assistants to the number of graduate students used to calculate the total value of unfunded scholarships annually awarded to graduate students and clinical faculty. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB1137

HB 1161 Christopher Newport University; Board of Visitors. *(Yancey)* Requires at least six of the 14 members of the Christopher Newport University Board of Visitors to be alumni of the University. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB1161

HB 1191 Secretary of Commerce and Trade; annual reports evaluating the effectiveness of certain economic development incentive programs. *(Massie)* Requires the Secretary of Commerce and Trade to submit an annual report to the Chairs of the Senate Finance and the House Appropriations and Finance Committees on the effectiveness of economic development incentive programs administered by the Commonwealth. The report would cover a three-year

period. Certain state agencies administering economic development programs would be required to report to the Secretary the amount of grants made available under the program, number of jobs created, actual average wages paid, amount of capital investment, and similar data. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB1191

HB 1220 Research and development expenses tax credit. *(Comstock)* Increases beginning with taxable year 2014 the amount of the credit allowed from 15 percent of the first $167,000 to 15 percent of the first $234,000 of Virginia qualified research and development expenses, and from 20 percent of the first $175,000 to 20 percent of the first $234,000 of Virginia qualified research and development expenses conducted in conjunction with a Virginia institution of higher ed. The bill increases the maximum annual amount of tax credits that may be issued each fiscal year from $5 million to $6 million. The bill allows a pass-through entity to elect to receive and claim any credit at the pass-through entity level in lieu of the credit being allocated to the individual partners, members, or shareholders of the pass-through entity. Finally, the bill requires any taxpayer applying for the credit to provide information to the Dept of Taxation relating to the number of full-time employees of the taxpayer; the taxpayer's industry sector; the area, discipline, or field of Virginia qualified research performed by the taxpayer; the taxpayer's total gross receipts for the relevant taxable year; and whether the qualified research was performed in conjunction with a Virginia inst of higher ed. Further, regardless of how few taxpayers take the credit, the Dept, upon request by the General Assembly or any duly constituted committee of the General Assembly, must disclose the total aggregate amount of credits under § 58.1-439.12:08 taken by all taxpayers. Same as SB 623. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB1220

HB 1268 Public institutions of higher education; violence prevention committee policies and procedures. *(Hugo)* Requires the violence prevention committee of each public institution of higher education to establish policies and procedures that outline circumstances under which all faculty and staff are to report threatening or aberrant behavior that may represent a physical threat to the community. The bill also requires each violence prevention committee to include notification of family members or guardians, or both, as a sufficient means of action in the committee's policies and procedures for the assessment of individuals whose behavior may present a physical threat, unless such notification would prove harmful to the individual in question. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB1268

HOUSE RESOLUTIONS & JOINT RESOLUTIONS

HJ16 Recurrent flooding; joint subcommittee established to formulate recommendations to address. (Stolle) Establishes an 11-member joint subcommittee to formulate recommendations for the development of a comprehensive and coordinated planning effort to address recurrent flooding. The joint subcommittee is charged with recommending short- and long-term strategies for minimizing the impact of recurrent flooding. The joint subcommittee must submit its report to the Governor and the 2016 Regular Session of the General Assembly. This bill is identical to SJR 3. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HJ16

HJ 103 Study; JLARC; Virginia's Line of Duty Act; report. *(Jones)* Directs the Joint Legislative Audit and Review Commission to study Virginia's Line of Duty Act, the current and projected future costs of benefits awarded thereunder, and the advisability of coordinating those benefits with additional benefits paid under other state and federal programs.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HJ103

HR 52 Commending Deb Boykin. *(Hugo)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HR52

HJ 171 Commending Dr. Charles W. Steger. *(Yost)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HJ171

SENATE BILLS

SB 78 VA Freedom of Information Act; record exemption for admin investigations (Ruff)
Exempts from FOIA administrative investigations conducted by a public institution of higher education relating to individual employment discrimination complaints or audits/investigations of any officer, department, or program at such institutions. This bill is identical to HB 703. *(UVA bill)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB78

SB 79 Optional retirement plan maintained by inst of higher ed; withdrawal of contribution. (Ruff) Allows the governing board of an institution of higher education to establish a policy regarding the number of years of service, or any portion thereof, that an employee must have performed before being entitled to receive all optional retirement plan contributions made on his behalf by the institution if he ceases to be an employee other than by death or retirement. The policy would only apply to employees hired on or after July 1, 2014, who are not in continuous service at the time of hiring. *(UVA bill)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB79

SB 150 Patent infringement; assertions made in bad faith. *(Stuart)*
Prohibits any person from making in bad faith an assertion of patent infringement. The Attorney General or an attorney for the Commonwealth is empowered to accept assurances of voluntary compliance and seek injunctive relief. The Attorney General is authorized to issue civil investigative demands. The measure does not create a private cause of action. The measure does not apply to a demand letter or assertion of patent infringement that includes a claim for relief arising under 35 U.S.C. § 271(e)(2) or 42 U.S.C. § 262. This bill is identical to HB 375.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB150

SB 215 Virginia College Savings Plan; incorporated government agency. *(Howell)*
Declares the Virginia College Savings Plan to be a body politic and corporate.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB215

SB 239 Student mental health policies; violence prevention committee *(Petersen)*
Requires the violence prevention committee of each public institution of higher education to establish policies and procedures that outline circumstances under which all faculty and staff are to report threatening or aberrant behavior that may represent a physical threat to the community. The bill also requires each violence prevention committee to include notification of family members or guardians, or both, as a sufficient means of action in the committee's policies and procedures for the assessment of individuals whose behavior may present a physical threat, unless such notification would prove harmful to the individual in question.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB239

SB 242 Higher education; students' personal information. *(McWaters)* Prohibits public institutions of higher ed on from selling students' personal information, including names, addresses, phone numbers, and email addresses, to any person. The bill does not apply to certain transactions initiated by the student. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB242

SB 244 Schev; elimination of certain duties and programs *(Edwards)* Eliminates the duty of the SCHEV to (i) develop policies and procedures for disclosing certain information to students on student lending practices; (ii) develop, in collaboration with public institutions of higher education and the Department of Health, education programs for college students on the etiology, effects, and prevention of infection with human immunodeficiency virus; and (iii) establish institutes that provide in-service training on the effective use of technology to teachers, administrators, and librarians. The bill transfers the administration of the Virginia Vocational Incentive Scholarship Program for Shipyard Workers and the companion Fund from SCHEV to Tidewater Community College and specifies that shipyard workers enrolled in a certain apprenticeship program are eligible for such program and fund. The bill abolishes the Virginia Graduate and Undergraduate Assistance Program, the College Scholarship Assistance Program, and the Virginia College Savings Program. Finally, the bill relocates a traineeship program administered by the Board of Education from Title 23 to Title 22.1. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB244

SB 341 VCU Health System Authority; selection or removal of Chief Executive Officer. *(McEachin)*
Requires that in situations where a majority of the members of the Board of Directors of the Virginia Commonwealth Un Health System Authority and the Board of Visitors of VCU do not agree upon the selection, removal, or conditions of appointment, including salary, of the Chief Executive Officer of the Authority, the two boards will each select a committee of three members to consider the matters upon which the boards disagree in a joint committee meeting. The decision of the joint committee is binding upon the two boards. In the event that a majority of the members of each committee do not agree, then the President of VCU shall decide the matters upon which the committees disagree. The President's decision will be binding upon both boards.
http://lis.virginia.gov/cgi-bin/legp604.exe?ses=141&typ=bil&val=sb341&submit=GO

SB 390 Virginia Center for School Safety; name change. *(Howell)* Changes the name of the Virginia Center for School Safety to the Virginia Center for School and Campus Safety. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB390

SB 392 Virginia Information Technologies Agency; private institutions of higher education. *(Vogel)* Provides for the Virginia Information Technologies Agency (VITA) to allow private institutions of higher education chartered in Virginia and 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. The bill also requires VITA to seek the assistance of the Council of Independent Colleges in Virginia and the Division of Purchases and Supply of the Department of General Services in establishing and maintaining a list of private educational institutions authorized to make such purchases. This bill is identical to HB 749.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB392

SB 394 Bonds; capital projects at institutions of higher learning. *(Stosch)* Authorizes the Treasury Board to issue bonds pursuant to Article X, Section 9 (c) of the Constitution of Virginia in an amount up to $245,020,705 plus financing costs to finance revenue-producing capital projects at institutions of higher learning. The bill contains an emergency clause. This bill is identical to HB 869. It includes $16 million for W&M dorm renovations.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB394

SB 448 Hazing; penalty and institution policies. *(Norment)*
Requires the policies of any public school or public institution of higher education regarding hazing to be consistent with model policies established by the Department of Education or the State Council of Higher Education for Virginia, as applicable, and directs such agencies to establish such model policies with the Department of Criminal Justice Services.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB448

SB 449 SCHEV; articulation, dual admissions, and guaranteed admissions agreements. *(Norment)* Renames the State Transfer Module as the State Transfer Tool and requires the State Council of Higher Education to develop guidelines to govern the development and implementation of articulation, dual admissions, and guaranteed admissions agreements between the Commonwealth's public two-year and four-year institutions of higher education. Under current law, the Council is required to use the State Transfer Module to develop articulation, transfer, and dual enrollment and admissions agreements between the Commonwealth's public two-year and four-year insts of higher education. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB449

SB 460 Private institutions of higher education; certification. *(Norment)*
Increases, from 10 to 20, the number of years a private institution is required to have maintained a main or branch campus continuously in the Commonwealth under its current ownership and has been continuously approved or authorized to confer or grant academic or professional degrees by

the State Council of Higher Education for Virginia, by the Board of Education, or by an act of the General Assembly in order to be exempt from the requirement to obtain another certification from the Council. The bill contains a grandfather clause.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB460

SB 464 Department of Human Resource Management; state health plan. *(Watkins)* Removes "part-time state employees" from the definitions under the state health plan established by the Department of Human Resource Management.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB464

SB 481 Virginia Military Survivors and Dependents Education Program; residency requirements. *(Puller)* Deems certain surviving spouses and dependents of military service members eligible for the Virginia Military Survivors and Dependents Education Program if the service member through whom they claim eligibility (i) has had a physical presence in Virginia for at least five years immediately prior to the date on which the admission application to the public institution of higher education was submitted; (ii) had a physical presence in Virginia on the date of his death and for at least five years immediately prior to his death; (iii) is deceased and the surviving parent of the qualifying child has had a physical presence in Virginia for at least five years immediately prior to the date on which the admission application to the public institution of higher ed was submitted; and (iv) is deceased and the surviving spouse has had a physical presence in Virginia for at least five years prior to the date on which the admission application was submitted by the qualified spouse. Current law requires bona fide domiciliary status in Virginia in these circumstances. Same as HB 576. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB481

SB 562 College partnership laboratory schools; tuition. *(Locke)* Authorizes the school board of a school division that partners with a college partnership laboratory school to charge tuition to students enrolled in the college partnership laboratory school who do not reside within the partnering division. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB562

SB 570 Assault and battery of campus police and school security officers; penalty. *(Stuart)* Provides that a battery against any full-time or part-time employee of a public or private elementary school who is engaged in the performance of his duties is punishable as a Class 1 misdemeanor and the punishment shall include a sentence of 15 days in jail, two days of which shall be a mandatory minimum sentence. Currently, only a battery against a teacher, principal, assistant principal, or guidance counselor is subject to this enhanced penalty for battery. This bill is identical to HB 851. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB570

SB 581 Longwood University Board of Visitors; removal of visitors. *(Garrett)* Provides that if any member of the Longwood University Board of Visitors fails to perform the duties of his office for one year without sufficient cause shown to the board, the office of such visitor shall be vacated. The bill also provides that if so many of such visitors fail to perform their duties that a quorum is not met for a year, the rector, any member of the board, or the president of the University may

certify such fact to the Governor and the offices of all visitors failing to attend shall be vacated. (Note – LU requested this bill.) http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB581

SB 623 Research and development expenses tax credit. *(McDougle)* Increases beginning with taxable year 2014 the amount of the credit allowed from 15 percent of the first $167,000 to 15 percent of the first $234,000 of Virginia qualified research and development expenses, and from 20 percent of the first $175,000 to 20 percent of the first $234,000 of Virginia qualified research and development expenses conducted in conjunction with a Virginia institution of higher ed on. The bill increases the maximum annual amount of tax credits that may be issued each fiscal year from $5 million to $6 million. The bill allows a pass-through entity to elect to receive and claim any credit at the pass-through entity level in lieu of the credit being allocated to the individual partners, members, or shareholders of the pass-through entity. Finally, the bill requires any taxpayer applying for the credit to provide information to the Dept of Taxation relating to the number of full-time employees of the taxpayer; the taxpayer's industry sector; the area, discipline, or field of Virginia qualified research performed by the taxpayer; the taxpayer's total gross receipts for the relevant taxable year; and whether the qualified research was performed in conjunction with a Virginia institution of higher education. The bill also requires the Dept to disclose the total aggregate amount of research and development tax credits claimed, upon request of the General Assembly or any committee of the General Assembly. This bill is identical to HB 1220. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB623

SB 626 Christopher Newport University; Board of Visitors. *(Miller)* Requires at least six of the 14 members of the Christopher Newport University Board of Visitors to be alumni of the University. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB626

SENATE RESOLUTIONS & JOINT RESOLUTIONS

SJ 3 Recurrent flooding; joint subcommittee established to formulate recommendations to address. (Locke) Establishes an 11-member joint subcommittee to formulate recommendations for the development of a comprehensive and coordinated planning effort to address recurrent flooding. The joint subcommittee is charged with recommending short- and long-term strategies for minimizing the impact of recurrent flooding. The joint subcommittee must submit its report to the Governor and the 2016 Regular Session of the General Assembly. This bill incorporates SJR 34 and is identical to HJR 16. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SJ3

SJ 69 Confirming Governor's appointments of certain persons. *(Obenshain)*
Confirms appointments to various positions made by Governor McDonnell and communicated to the General Assembly August 1, 2013. Note – includes W&M BOV appointments.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SJ68

BILLS & RESOLUTIONS THAT WERE CARRIED OVER (TO NEXT SESSION)

(Note: These bills must be acted in committee by Dec. 20 in order to be considered in the 2015 session.)

HB 788 Virginia Freedom of Information Act; out-of-state requests for records. *(LeMunyon)*
Sets out the process for public bodies to respond to record requests made by out-of-state requesters. Carried over in General Laws committee.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB788

HB 1208 Virginia Public Procurement Act; consideration of early payment discounts. *(Albo)*
Prohibits the consideration of discounts for early payment of invoices offered by any bidder in the determination of the lowest priced bid on any contract awarded using competitive sealed bidding. The bill also provides that no bidder shall be required to offer discounts for early payment of invoices as a condition of any Invitation to Bid, and no bidder shall be declared nonresponsive for failure to offer a discount for early payment of invoices. With respect to competitive negotiation, the bill provides that any offer submitted in response to a Request for Proposal may contain offers for discounts for the early payment of invoices by public bodies; but that, if offered, such discounts shall not be considered in the selection of qualified offerors or in the evaluation of prices submitted by any such offeror. Finally, the bill provides that discounts for prompt payment shall not be considered in the evaluation or made a condition of offers or bids by any state agency or local public body. Carried over in General Laws committee.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB1208

HB 1223 VA Public Procurement Act; small, women, 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. The bill also requires that programs to facilitate the participation of small businesses and all businesses owned by women, minorities, or service disabled veterans in procurement transactions include a provision for fair and equitable evaluations and opportunities for small businesses and all businesses owned by women, minorities, or service disabled veterans. Carried over in General Laws. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB1223

HB 1238 VA Public Procurement Act; disclosure of cost estimates in solicitations prohibited. *(Gilbert)* Provides that no Invitation to Bid or Request for Proposal shall contain the public body's cost estimate for that which is sought to be procured. Carried over in General Laws.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB1238

SJ 25 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. Carried over in Finance.
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SJ25

BILLS & RESOLUTIONS THAT FAILED

HOUSE BILLS & RESOLTIONS

HB 12 Patent infringement; assertions made in bad faith. *(Bob Marshall)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB12

HB 28 Higher educational institutions; admission of students domiciled in Virginia. *(Comstock)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB28

HB 32 Minimum wage; increases wage from its current federally mandated level. *(Morrisey)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB32

HB 59 In-state tuition; Deferred Action for Childhood Arrivals. *(Lopez)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB59

HB 88 In-state tuition; Deferred Action for Childhood Arrivals. *(Lopez)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB88

HB 93 Employment applications; inquiries regarding criminal arrests, charges, or convictions; penalty. *(Krupicka)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB93

HB 137 Public insts of higher ed; admission & enrollment of students domiciled in Virginia. *(Ramadan)* http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB137

HB 144 Public insts of higher ed; admission of students domiciled in VA. (Hugo)
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB144

HB 238 Higher education; spending. *(Ramadan)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB238

HB 286 State Inspector General; appointment *(Landes)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB286

HB 287 Office of the State Inspector General; powers and duties *(Landes)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB287 (Rolled into HB 1073)

HB 421 Virginia Public Procurement Act; competitive negotiation; term contracts for certain services . *(Minchew)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB421

HB 496 Assault and battery; of campus police, penalty. *(Yost)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB496

HB 510 Use of federal funds; appropriation required. *(Morris)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB510

HB 532 Governor; state agencies' use of public media to influence proposed actions *(Marshall)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB532

HB 544 Public institutions of higher education; violence prevention committee policies and procedures. *(Filler-Corn)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB544

HB 571 Office of the State Inspector General; powers and duties; records exempt under the Virginia Freedom of Information Act(FOIA). *(Landes)*

HB 573 Virginia Guaranteed Assistance Program; grants. *(Cox)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB573

HB 678 Tax credit for small businesses hiring graduates of Virginia's public colleges. *(Herring)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB678

HB 696 Higher education; Virginia Guaranteed Assistance Program. *(Krupicka)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB696

HB 711 Department of Human Resource Management; universal leave system for classified employees. http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB711

HB 747 In-state tuition; Deferred Action for Childhood Arrivals. (*Rust)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB747

HB 781 Student members of education boards. *(Futrell)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB781

HB 789 FOIA; participation in meetings in event of emergency or personal matters. *(LeMunyon)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB789

HB 797 Department of Small Business and Supplier Diversity; definition of small business. *(Lopez)* http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB797

HB 813 Search of electronic device without warrant prohibited. (*Carr)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB813

HB 818 Virginia Commission on Energy and Environment. *(Lopez)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB818

HB 865 STEAM Summer Learning Center Fund established. *(Yancey)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB865

HB 963 Secretary of Education; annual report. *(Simon)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB963

HB 993 Teacher licensure; study in human trafficking. *(BaCote)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB993

HB 1123 Students and officially recognized student organizations; right to hire counsel and right of review of disciplinary decisions. *(Morris)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB1123

HB 1205 Student teachers; fingerprinting, criminal history records check, and child abuse and neglect data. *(Yost)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB1205

HB 1225 Community colleges; workforce training. *(D. Marshall)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HB1225

HJ 59 Study; Department of Education to study impacts on teacher quality; report. *(Krupica)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HJ59

HJ 72 Study; SCHEV; Pay It Forward, Pay It Back; report. *(Toscano)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HJ72

HJ 95 Regional Innovation Councils; report. *(Futrell)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HJ95

HJ 101 Virginia Economic Development Partnership Authority; report. *(Yancey)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+HJ101

SENATE BILLS & RESOLUTIONS

SB 55 The University of Virginia; board of visitors. *(Edwards)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB55

SB 89 VA Retirement System; disability program for hybrid retirement plan participants. *(Newman)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB89

SB 92 Virginia Tech; preservation of Stadium Woods property. *(Edwards)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB92

SB 249 In-state tuition; Deferred Action for Childhood Arrivals. *(McEachin)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB249

SB 252 Insurance; employees of public institutions of higher education or localities. *(McEachin)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB252

SB 303 Virginia Military Survivors and Dependents Education Program; eligibility. *(Stuart)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB303

SB 539 Secretary of Education; annual report. *(Howell)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB539

SB 590 Minimum wage *(Marsden)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB590

SB 628 Community colleges; workforce training. *(Ruff)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB628

SB 633 Higher education; tuition waiver for dependent children of faculty. *(Edwards)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SB633

SJ 10 Study; improving access to higher ed for students with developmental and intellectual disabilities. *(Marsden)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SJ10

SJ 34 Study; recurrent flooding; report . *(McWaters)*
http://lis.virginia.gov/cgi-bin/legp604.exe?141+sum+SJ34 (Into SJR 3)