

from the magistrate serving the county or city where the arrest was made, charging the person with contempt of court.

Patron - Massie

HB2108 Personal appearance by two-way electronic video and audio communication. Provides that if two-way electronic video and audio communication is available for use by a district court in any pre-trial criminal proceeding to determine bail or representation by counsel, the court shall use such communication in any proceeding that would otherwise require the transportation of a person from outside the jurisdiction of the court in order to appear in person before the court. This bill is identical to SB 2168.

Patron - Sherwood

HB2309 Conditions of supervised probation. Provides that no probationer shall be kept under supervised probation solely because of his failure to make full payment of fines, fees, or costs, provided the court and attorney for the Commonwealth do not object to such removal.

Patron - Melvin

HB2312 Writs of actual innocence; requirements. Extends the ability to petition for a writ of actual innocence based on previously unknown or untested biological evidence to individuals who are not incarcerated. This bill is identical to SB 1381.

Patron - Melvin

HB2391 Search warrant for electronic communications; foreign service. Provides for the issuance of a search warrant by a circuit court for information, including contents of electronic communications, held by a foreign corporation that provides electronic communication service or remote computing service in Virginia. Currently, there is no specific provision for foreign service of such a warrant and a search warrant may not access contents of electronic communications.

Patron - Bell

HB2403 Criminal Injuries Compensation Fund; electronic filing of claims. Permits claims for an award under the Criminal Injuries Compensation Fund to be filed electronically. Currently, such claims must be filed in person or by mail.

Patron - Bell

HB2580 Arrest of illegal immigrants. Revises Code provision that prohibits an arrest of an illegal alien (who has been previously convicted of a felony and deported) more frequently than once every six months to allow arrests within the six month period when confirmation has been received from Immigration and Customs Enforcement that the arrested person will be taken into federal custody.

Patron - Miller, J.H.

HB2623 Expansion of jurisdiction of multijurisdiction grand jury to include investigation of trademark infringement. Expands jurisdiction of multijurisdiction grand jury to include investigation of trademark infringement.

Patron - Loupassi

HB2637 Arrests for which fingerprints are required. Requires that fingerprints be taken and forwarded to the Central Criminal Records Exchange upon an arrest for a violation of a protective order issued under Title 16.1. Fingerprints are already authorized for misdemeanor arrests for violation of stalking protective orders issued under Title 18.2.

Patron - Cline

SB1009 Search warrants executed upon electronic communication service providers or remote computing ser-

vice providers. Provides that a search warrant for records or other information pertaining to a subscriber to, or customer of, an electronic communication service or remote computing service that is transacting or has transacted any business in the Commonwealth, including the contents of electronic communications, may be served upon such a provider within or without the Commonwealth by mail, facsimile, or other electronic means. Currently, there is no provision for service of such a warrant outside the Commonwealth nor is there a specific provision allowing for mail, fax or electronic service. Additionally, under current law, electronic communications are expressly excluded from the coverage of the warrant.

Patron - Deeds

SB1197 Expungement of records; victim of identity theft. Relieves the victim of identity theft of paying fees for filing a petition to expunge the criminal records of charges against the victim brought as a result of the identity theft.

Patron - Puckett

SB1256 Year and a day rule repealed. Provides that murder or manslaughter may be prosecuted regardless of the amount of time that has passed between the act or omission causing the death and the death. Under common law, prosecution cannot occur if the victim dies more than a year and a day after the fatal injury was inflicted.

Patron - Marsh

SB1268 Personal appearance by two-way electronic video and audio communication. Provides that if two-way electronic video and audio communication is available for use by a judge in a district court criminal proceeding to determine bail or representation by counsel, the judge must use such communication if the person would otherwise have to be transported from outside the jurisdiction of the court in order to appear in person before the court. This bill is identical to HB 2108.

Patron - Vogel

SB1307 Private prisoner transport. Provides that a private company can be used to retrieve fugitives from outside the Commonwealth so long as it meets minimum qualifications set by the Department of Criminal Justice Services.

Patron - Hurt

SB1363 Criminal procedure; compensation of court-appointed counsel. Provides compensation to counsel representing an indigent prisoner under sentence of death in a state habeas corpus proceeding, on the same basis as provided to counsel representing a defendant charged with a Class 1 felony.

Patron - Reynolds

SB1381 Writs of actual innocence; requirements. Extends the ability to petition for a writ of actual innocence based on previously unknown or untested biological evidence to individuals who are not incarcerated. This bill is identical to HB 2312.

Patron - Stolle

SB1391 Criminal convictions; DNA notification. Permits the dissemination of Virginia criminal history information to certain individuals who volunteer in the identification, location, and notification of individuals convicted of crimes prior to the advent of DNA testing and the case files of which have since been found to contain evidence suitable for DNA testing. The bill also specifies other aspects of the notification process and has an emergency clause.

Patron - Stolle

SB1426 Magistrates; issuance of arrest warrants. Provides that prior to examining witnesses on a citizen's complaint alleging a felony offense, a magistrate must first consult with a Commonwealth's Attorney with jurisdiction for investigation of the alleged offense. If the Commonwealth's Attorney is unavailable, the magistrate must first consult with a law-enforcement agency. The bill also requires that a complaint for an arrest warrant be in writing, whenever practicable, if the complainant is not a law-enforcement officer.

Patron - Deeds

Failed

HB1596 Notification of service of protective order. Provides that persons who have obtained a protective order shall receive notice of the service of such order by the local police department, sheriff's office, or other law-enforcement agency that served the order on the person subject to the order. The notification may be made through the Virginia Statewide VINE (Virginia Information and Notification Everyday) System.

Patron - Scott, J.M.

HB1670 Waiver of payment of interest on fines and costs. Provides that no interest shall accrue on any fine or costs imposed in a criminal or traffic case for a period of 40 days from the date of the final judgment imposing such fine or costs or during any period the defendant is incarcerated. Current law provides for the interest waiver only for the 40-day period following, or when a defendant is incarcerated, for the current case. The bill also allows a court, for good cause shown, on motion of a defendant who is making payments or who is requesting a payment plan pursuant to § 19.2-354, to waive payment of accrued but unpaid interest on fines and costs imposed by a judgment of that court.

Patron - Dance

HB1695 Driving without an operator's license. Provides that any person who drives without an operator's license may be placed under arrest, fingerprinted and the arrest reported to the Central Criminal Records Exchange if the general district court for the jurisdiction has approved arrest for the offense of driving without an operator's license.

Patron - Albo

HB1813 Expungement of criminal conviction record. Allows a person convicted of a criminal offense to have his conviction expunged after eight years has expired following the conviction, upon a showing that his opportunities for employment, education, or professional licensure are prejudiced by the existence of the criminal record. Expungement would not be available for someone convicted of a violent felony, a DUI-related offense, an offense for which registration on the sex offender registry is required, or domestic violence.

Patron - Morrissey

HB2136 Misdemeanor arrest or summons at discretion of law-enforcement officer. Gives a law-enforcement officer the choice of issuing a summons and releasing the person or arresting him for Class 1 and 2 misdemeanors. Under current law, the law-enforcement officer must release the person on a summons for most Class 1 and 2 misdemeanors unless the person fails to stop the unlawful act or indicates that he will not appear as directed in the summons. The bill also requires the officer to arrest the person if he fails to stop the unlawful act; currently arrest is discretionary when the person fails to stop the unlawful act.

Patron - Miller, J.H.

HB2363 Admissibility of prior inconsistent statements in a criminal case. Provides that in all criminal cases, evidence of a statement made by a witness is not made inadmissible by the hearsay rule if the statement is inconsistent with his testimony at the hearing or trial, the witness is subject to cross-examination concerning the statement, and the statement (i) was made under oath and describes or explains an event or condition of which the witness had personal knowledge, and (ii) is proved to have been written or signed by the witness, the witness acknowledged under oath the making of the statement, or the statement is proved to have been accurately recorded.

Patron - Gilbert

HB2553 Forfeiture of motor vehicle for driving with a suspended operator's license. Provides that any motor vehicle used to commit the third or subsequent offense of driving while the operator's license is suspended shall be forfeited to the Commonwealth.

Patron - Crockett-Stark

HB2567 Criminal procedure; probation. Requires the Department of Corrections to develop a supervision plan when an offender is placed on supervised probation, specifically for that offender, taking into account his offense and the results of any assessment conducted by the Department and setting out specific goals for the offender to achieve and credits towards reduction of the period of active supervision that may be earned. The maximum reduction of the period of active supervision is 50 percent. The bill gives the court authority to approve or disapprove the plan and to reduce the period of probation when the offender achieves the goals of the plan. Any offender convicted of abduction, rape, carnal knowledge of a child, forcible sodomy, object sexual penetration, aggravated sexual battery, or taking indecent liberties with children shall not be eligible for such a plan.

Patron - Sherwood

HB2650 Citizens' Right to Know: Pretrial Release Act. Requires all pretrial services agencies in the Commonwealth to keep detailed records of its recommendations and case records for each defendant for whom it recommends pretrial release or for whom it does not recommend pretrial release, which records shall be open to the public. The pretrial services agencies are also required to file an annual report with the Department of Criminal Justice Services. The bill also provides for sanctions in the form of budget reduction for any non-complying program.

Patron - Bell

SB839 Notification of service of protective order. Provides that persons who have obtained a protective order shall receive notice of the service of such order by the local police department, sheriff's office, or other law-enforcement agency that served the order on the person subject to the order. The notification may be made through the Virginia Statewide VINE (Victim Information and Notification Everyday) System.

Patron - Ticer

SB844 Waiver of payment of interest on fines and costs; incarcerated defendant. Allows the waiver on accrual of interest on criminal or traffic fines or costs to apply to any case of an incarcerated defendant. Current law provides for the interest waiver only for the case for which the defendant is incarcerated.

Patron - Marsh

SB912 Criminal procedure; interpreter appointed for non-English-speaking defendant. Provides that the cost

for such interpreter shall be borne by a defendant who is convicted at trial of the criminal offense.

Patron - Stuart

FSB915 Children of certain persons at certain criminal proceedings. Provides that the court shall obtain from (i) persons at bail hearings, (ii) accused persons during arraignment, and (iii) defendants during the placement of probation and shall submit to the Department of Social Services the names, social security numbers, and dates of birth of the persons' and defendants' children, and the names of person having legal custody of such persons' and such defendants' children.

Patron - Stuart

FSB939 Indigent defendants; right to ex parte hearing for appointment of experts in capital cases. Provides that an indigent defendant who has been charged with a capital offense may move in circuit court for the appointment of experts to assist in the preparation of his defense. The presiding judge shall designate another judge in the judicial circuit who may hold an ex parte hearing on such a motion and may order the appointment of an expert. Prior to an ex parte proceeding, communication or request, a particularized need for confidentiality must be demonstrated in an adversarial proceeding. A motion for an ex parte hearing shall be in writing and filed under seal and any ex parte hearing conducted shall be on the record and kept under seal as part of the record of the case. The court may unseal the record after the trial is concluded for good cause shown.

Patron - Watkins

FSB1196 Behavioral Correction Program. Allows a non-violent offender who otherwise would be sentenced to a fixed term of incarceration of three years or longer and who the court determines requires treatment for drug or alcohol substance abuse issues to be committed to a special program lasting 24 months or more. Following the offender's release, he is placed on supervised probation.

Patron - Puckett

FSB1289 Expungement of criminal conviction record. Allows a person convicted of certain criminal offenses to petition to have his conviction expunged after a five-year period has expired following the conviction, upon a showing that his opportunities for employment, education, or professional licensure are prejudiced by the existence of the criminal record. Expungement would not be available for someone convicted of a violent felony, a DUI-related offense, an offense for which registration on the sex offender registry is required, or domestic violence.

Patron - McEachin

FSB1362 Motions to suppress evidence, etc. Requires a criminal defendant to state with particularity his grounds for a motion to dismiss or to suppress evidence. The bill also requires the attorney for the Commonwealth to provide to the defendant a summary of the relevant facts upon which the defendant might make such a motion when the defendant has requested of the Commonwealth information he requires in order to articulate grounds upon which such motion is to be made.

Patron - Reynolds

FSB1380 Use of probation revocation and suspended sentence revocation worksheets. Requires that a court utilize sentencing revocation report worksheets in all probation revocation and sentence suspension revocation cases. Currently,

such sentencing worksheets are statutorily required to be used only when sentencing following felony convictions.

Patron - Stolle

FSB1407 Criminal history record checks; volunteers. Adds the Rita Welsh Adult Literacy Program to the agencies that may receive criminal history background checks for their volunteers without charge.

Patron - Norment

FSB1436 Crime victims; immigration status. Provides that no law-enforcement officer or other agent of state or local government shall, when investigating a crime, inquire into the immigration status of any person who reports that he is the victim of the crime or is the parent or guardian of a minor victim, or is a cooperating witness in the criminal investigation or is the parent or guardian of a minor witness. The bill does not prohibit a law-enforcement officer from inquiring into the immigration status of a victim or witness who has been arrested or charged with a criminal violation, or when such inquiry is required by federal law or is essential to the investigation or prosecution of the crime to which the person is a witness or of which the person is a victim.

Patron - Howell

Domestic Relations

Passed

PSB808 Foreign service officers. Provides that any foreign service officer of the United States who (i) at the time the suit for annulment or divorce is, or immediately preceding such suit was, commenced is stationed in any territory or foreign country and (ii) was domiciled in the Commonwealth for the six-month period immediately preceding his being stationed in such territory or country, shall be deemed to have been domiciled in and to have been a bona fide resident of the Commonwealth during the six months preceding commencement of a suit for annulment or divorce. The bill also expands the list of when personal jurisdiction of a person may be exercised to include a cause of action arising from a person having executed an agreement in the Commonwealth which obligates the person to pay spousal support or child support to a person who has satisfied the residency requirements in suits for annulments or divorce for foreign service officers of the United States.

Patron - Puller

PSB1000 History of sexual abuse; custody and visitation. Provides that any history of sexual abuse must be considered as a factor in determining the best interests of a child for purposes of awarding custody or visitation.

Patron - Quayle

Failed

PHB1897 Supervised visitation. Defines the term "supervised visitation" as contact between a parent and a child that occurs in the immediate presence of a supervising person approved by the court and under conditions designed to prevent any physical, emotional, or sexual abuse, threats, intimidation, abduction, or humiliation of either the child or the child's custodial parent or guardian. The bill also provides who may not serve as the supervising person and requires that any-

time supervised visitation is ordered, it shall be done in compliance with the definition of supervised visitation.

Patron - Watts

HB1913 Child support; incarcerated obligor. Provides that a court shall recalculate the child support obligation of an obligor who is incarcerated during the support period, the recalculation being retroactive to the date of incarceration. The bill also provides that the child support payments of a parent who is incarcerated shall be tolled during the term of incarceration. Child support payments that are tolled continue to accrue during the term of incarceration, although no interest or other penalties shall accrue, and, upon the parent's release, the amount of his support arrearages shall be calculated and a payment plan shall be established. The bill also provides that prisoners and minor obligors are exempt from various fees and costs that may be collected by the Department of Social Services in enforcing support obligations. The bill further provides that reductions in the child support arrearages owed by prisoners and minor obligors should be granted for timely payments of support. Preference for placement in work programs will be given to otherwise qualified prisoners who have child support obligations.

Patron - BaCote

HB2620 Divorce; appointment of counsel. Provides that a court shall appoint counsel for a party in a divorce action if it is shown that (i) the party is a victim of domestic violence, and (ii) the party cannot reasonably access resources necessary to retain an attorney. The bill has a delayed effective date of July 1, 2011.

Patron - Pollard

SB859 Divorce; equitable distribution. Provides that unless good cause is shown that there should not be an interim distribution, the court may, upon request of either party, at any time after a request for equitable distribution has been made and prior to the final judgment of equitable distribution, enter an order providing for a partial division of marital property or a distributive award. Any such order entered shall be taken into consideration at trial and proper credit given towards the final distribution of marital property.

Patron - Edwards

SB1429 Marriage license tax; allocation to services for children and youth exposed to sexual or domestic violence. Increases the marriage license tax to \$35 and allocates the funds to the Department of Social Services for services for children and youth exposed to sexual or domestic violence.

Patron - Whipple

Education

Passed

HB1624 Board of Education model policy; bullying, harassment, or intimidation. Provides that the Board of Education must include in its guidelines and model policies for codes of student conduct standards for school board policies, on the use of electronic means for purposes of bullying, harassment, and intimidation.

Patron - Englin

HB1679 Child abuse and neglect data; school board applicants. Clarifies that a local school board must take reasonable steps to determine whether an applicant, who has resided in another state within the last five years, was the sub-

ject of a founded case of child abuse and neglect in the relevant state. The Department of Social Services must maintain a database of central child abuse and neglect registries in other states that provide access to out-of-state boards. This bill has an emergency clause.

Patron - Orrock

HB1727 Interstate Compact on Educational Opportunity for Military Children. Establishes a compact to remove barriers to educational success imposed on children of military families because of frequent moves and deployment of their parents. The compact is currently in effect as at least 10 states have enacted the compact into law. The bill will take effect only if funds are appropriated to effectuate its purposes in the general appropriation act passed at the 2009 Regular Session.

Patron - Cole

HB1746 Family life education; value and benefits of marriage. Adds the value, benefits, challenges, and responsibilities of marriage for men, women, children, and communities to the list of topics to be covered in family life education curricula. This bill is identical to SB 827.

Patron - Pogge

HB1767 Certain honorary diplomas. Requires that the Board of Education award an honorary high school diploma to veterans of the Vietnam War who, as secondary school students, enlisted or were drafted to serve in any branch of the United States Armed Forces during the war between 1959 and 1975, were subsequently honorably discharged, and were unable to complete their secondary education upon return to civilian life.

Patron - Dance

HB1794 Suspensions; sufficient cause. Provides that the sufficient cause necessary to suspend a student cannot rest solely on instances of truancy.

Patron - Brink

HB1836 Public schools; application of pesticides. Directs the Department of Education to make information available to school boards on integrated pest management programs that address the application of chemical pesticides and other pest control measures on school property. The Virginia Cooperative Extension, in cooperation with the Pesticide Control Board, will develop guidelines for integrated pest management no later than July 1, 2010.

Patron - Toscano

HB1844 Public charter schools. Allows certain amendments to the charter school statutes to sunset as provided in Chapter 530 of the Acts of Assembly of 2004 and retains others. Specifically, changes made in 2004 that require the charter school applicant to include (i) information regarding disclosures of any ownership or financial interest in the public charter school by the charter applicant and the governing body, administrators, and other personnel of the public charter school; and (ii) results of any Board of Education review of the public charter school application will remain. Additionally, the bill retains the provisions (i) permitting a public charter school applicant to submit its proposed charter application to the Board of Education for review and comment; (ii) directing school boards to give priority to applications designed to benefit at-risk pupils; and (iii) exempting the ownership or financial interest of members of the governing body, administrators, and other personnel serving in a public charter school in renovating, lending, granting or leasing public charter school facilities

from the prohibition of certain contracts by other officers and employees of local governmental agencies.

Patron - Lingamfelter

PHB1923 Textbooks; reasonable fee or charge. Provides that local school boards may assess a reasonable fee or charge for the loss of or damage to a textbook, so long as such textbook has been provided to the student free of charge.

Patron - Tata

PHB1942 Single-sex education. Clarifies the manner in which school boards may establish a single-sex class or school in a school division. Participation must be voluntary and the school division must provide a substantially equal coeducational school or class.

Patron - Peace

PHB1945 Regional alternative education programs. Provides that based on available space a school division may assign a student to a regional alternative education program and a parent may request, with the consent of the division superintendent, that his child be assigned to a regional alternative education program. Also, clarifies that the program described by the section is a "regional alternative education program."

Patron - Peace

PHB1980 Family life education; right of parents to review certain materials. Requires school divisions to distribute a summary already required by law to be made available to parents and guardians to assist them in understanding the family life education program implemented in the school division and include a statement that states: (i) parents and guardians have the right to review all written and audiovisual educational materials used in the program, and (ii) parents and guardians have the right to remove the child from all or part of family life education instruction.

Patron - McClellan

PHB2070 Local school board policies; classroom placement of twins. Requires local school boards to develop and implement policies to allow a parent of twins or higher order multiples to request that the children be placed in the same classroom or separate classrooms if they are in the same grade level at the same elementary school.

Patron - Scott, E.T.

PHB2089 Local school boards; grievance procedure. Provides additional direction to school boards in establishing and administering a grievance procedure to resolve disputes arising between the school board and certain employees, and provides that except in the case of dismissal, suspension, or other disciplinary action, the grievance procedure prescribed by the Board of Education must apply to all full-time employees of a school board, except supervisory employees.

Patron - Fralin

PHB2112 Financial literacy education. Provides that local school boards must establish educational objectives in financial literacy for grades K through 12.

Patron - Spruill

PHB2224 Braille; certification of instructors. Requires the Advisory Board on Teacher Education and Licensure, in consultation with the Department for the Blind and Vision Impaired, to make recommendations regarding the certification of Braille instructors.

Patron - Knight

PHB2166 Accreditation of schools; delayed implementation of certain statutes and regulations, etc. Provides for the delayed implementation of statutes and regulations, upon which the accreditation of schools in the Commonwealth is based that are not already in effect on June 30, 2008, until July 1, 2010, unless such statutes or regulations are also specifically required by federal code, federal regulation, or court action.

Patron - Lohr

PHB2269 Annual report of expenditures; local school boards. Requires the annual report of expenditures provided by the school board to the appropriate governing body to also be made available to the public on a template prescribed by the Board of Education.

Patron - Poindexter

PHB2304 Special education; 180 days to appeal due process hearing decisions. Provides that any party aggrieved by a decision made in a due process hearing may appeal to a circuit court for a period of 180 days.

Patron - Griffith

PHB2341 Short-term suspension of a student; alternative education program. The bill provides that a school board may adopt regulations authorizing a principal to impose a short-term suspension, when a student has been charged with an offense involving intentional injury to another student in the same school, pending a decision as to whether to require the offending student to attend an alternative education program. It also provides that a school board may require a student charged with certain juvenile offenses to attend an alternative education program.

Patron - Amundson

PHB2353 Virginia School for the Deaf and the Blind. Re-establishes the Board of Visitors of the Virginia School for the Deaf and the Blind as the governing entity for the Virginia School for the Deaf and the Blind at Staunton and the Virginia School for the Deaf, Blind and Multi-Disabled at Hampton. This bill also repeals the section providing for the Advisory Commission on the Schools for the Deaf and the Blind, and the authority of the Superintendent of Public Instruction to prescribe the curricula and other matters for the schools. Technical amendments have also been made to conform certain provisions pertaining to the Board of Visitors to current statutory drafting requirements.

Patron - Landes

PHB2409 Holocaust education; teacher's manual. Requires the State Superintendent of Public Instruction to select and distribute a teacher's manual that emphasizes the causes and ramifications of the Holocaust and genocide to all school divisions. Local school divisions must provide such manual to each history and literature teacher.

Patron - Hall

PHB2474 Planning time for school teachers. Requires school boards to ensure that all elementary school teachers are provided an average of 30 minutes a day of planning time.

Patron - Hugo

PHB2517 Verified units of credit; industry certification and state licensure. Directs the Board of Education in prescribing Standards of Learning assessments to also provide the option of industry certification and state licensure examinations in lieu of administering tests to assess the progress of students.

Patron - Lohr

HB2537 Special education; definition of parent. Defines "parent" for the purposes of the special education Article, and regulations promulgated thereto.

Patron - Toscano

HB2589 Limited English proficient students; assessment. Provides that local school divisions must administer a locally developed or selected limited English proficiency assessment mandated for students pursuant to the federal No Child Left Behind Act for the 2009-2010 school year, so long as such assessment has been approved by the Board of Education.

Patron - Englin

HB2619 Transfer students; Virtual Virginia credit. Provides that course credits earned for online courses taken in the Department of Education's Virtual Virginia program will transfer to Virginia public schools in accordance with provisions of the standards of accreditation.

Patron - Barlow

SB827 Family life education; value and benefits of marriage. Adds the benefits, challenges, responsibilities, and value of marriage for men, women, children, and communities to the list of topics to be covered in family life education curricula. This bill is identical to HB 1746.

Patron - Smith

SB1285 Publication of annual school budget. Requires local governing bodies and local school divisions to publish the estimated required local match in the publication of the annual school budget. Local governing bodies and school divisions must, by law, publish the annual school budget for public inspection and comment.

Patron - Newman

Failed

HB1602 Local school divisions; behavior analyst certification for teachers. Requires that by 2013, local school divisions must employ one teacher who has current board certification as a behavior analyst for every 25 students with autism. An enactment clause sets forth an incremental schedule for implementing such requirement. In addition provides that upon achievement of a behavior analyst certification, a teacher will receive an initial state-funded award of \$5,000 and a subsequent award of \$2,500 each year for the life of the certificate.

Patron - Poisson

HB1603 Middle and secondary schools; uniform grading policy. Requires local school boards to establish a policy to interpret end-of-course grades in a uniform manner across the Commonwealth in grades 6-12, but allows for a weighted grading system for advanced placement, honors, and International Baccalaureate classes.

Patron - Poisson

HB1700 Board of Education; statewide uniform grading policy. Requires the Board of Education to establish a statewide uniform grading policy whereby a student could receive a maximum of five quality points for an "A" in an Advanced Placement, International Baccalaureate, or dual enrollment course.

Patron - Lohr

HB1789 Family life education. Provides that family life education instruction on all topics must be both medically accurate and age appropriate.

Patron - Hull

HB1800 Expenditures and reports on instructional spending. Requires each local school board to allocate 65 percent of its operating budget to instructional spending. Local school boards must report annually to the Board of Education the percentage of their operating budgets allocated to instructional spending. Any school division that fails to meet the 65 percent requirement must present a plan to the Board of Education to increase instructional spending by 0.5 percent in the following fiscal year. School divisions failing to submit such a plan must be audited by the Auditor of Public Accounts, who is required to submit recommendations to the Board, including instruction concerning how failing school divisions can increase their instructional spending to 65 percent. In addition, the Board must annually report to the Senate Committee on Finance and the House Committee on Appropriations the amount of spending allocated by the local school divisions to instructional spending based on the reports submitted annually by the local school boards.

Patron - Loupassi

HB1825 Board of Education; publication of accreditation status. Requires the Board to publish annually the accreditation status of each school by August 1.

Patron - Fralin

HB1953 Board of Education; guidelines on recycling and waste reduction activities. Requires the Board of Education to establish guidelines to be implemented by local school divisions regarding recycling and waste reduction activities in the public schools. Also requires the Board to submit an annual report beginning in 2010 of the recycling efforts in the public schools.

Patron - Mathieson

HB1985 Autism Tuition Assistance Grant Program; established. Establishes a tuition assistance grant program for students with autism. The program provides grants of no more than \$20,000 a year per student to a Virginia nonsectarian private school of choice for students identified as autistic and for whom individual education plans have been written. The bill requires that in order to receive the grant the following conditions be satisfied: (i) the student has attended a public school in the Commonwealth and has received special education services for at least one year prior to the receipt of the grant; (ii) the parent has obtained acceptance for admission of the student to an eligible private school; (iii) the parent has executed and submitted to the division superintendent a written statement acknowledging that the public school has implemented an individualized educational program that is reasonably calculated to provide educational benefit; and (iv) the parent has requested the grant of the Superintendent of Public Instruction and notified the division superintendent of that request. The Board of Education is required to promulgate regulations to administer the Grant Program within 280 days of enactment. This bill is incorporated into HB 2104.

Patron - O'Bannon

HB2063 Triennial census of school population; sales and use tax distribution. Eliminates the requirement that every three years a census of all school-age persons residing within each school division take place. Also eliminates all related requirements regarding appointment and compensation of persons taking census, agents, and census results. Amends the procedure regarding sales and use tax distribution to localities so that distribution is based on the average daily membership of the school division rather than the school-age population of a school division. This bill has a delayed effective date of July 1, 2011.

Patron - Hamilton

HB2090 School calendar. Adds to the "good cause" circumstances for which school divisions may be granted a waiver from the regular post-Labor Day school opening schedule a school division that contains one or more schools that have failed to achieve full accreditation status for any of the preceding five years.

Patron - Fralin

HB2093 Local composite index. Provides that the local composite index must be fixed at 0.60000 for any school division in which the average daily membership was fewer than 2,000 students during the preceding school year and in which the Free and Reduced Lunch participation exceeded 45 percent of the students. This bill provides that the provision will become effective on July 1, 2011.

Patron - Pollard

HB2104 Students with Disabilities Tuition Assistance Grant Program. Creates the Students with Disabilities Tuition Assistance Grant Program, to provide tuition assistance for attendance at an eligible private school for any K-12 student as defined by the Board of Education in its Regulations Governing Special Education Programs for Children with Disabilities in Virginia who is diagnosed with an autism spectrum disorder. "Autism spectrum disorder" means any pervasive developmental disorder, including (i) autistic disorder, (ii) Asperger's Syndrome, (iii) Rett syndrome, (iv) childhood disintegrative disorder, or (v) Pervasive Developmental Disorder - Not Otherwise Specified, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association. The amount of the grant shall be limited to the average state share of the Standards of Quality basic aid per pupil expenditure. This bill incorporates HB 1985.

Patron - Janis

HB2151 Retention of energy savings by school boards. Establishes a program under which the amount of general funds appropriated to a local school board will be held harmless from any reduction that may result under the composite index of local ability-to-pay as a result of the school board's realization of savings from an energy conservation program. School boards are required to prepare an approved energy conservation program for public school buildings based on guidelines to be developed by the Department of Education with assistance from the Department of Mines, Minerals and Energy. The program is required to identify specific measures that the school board may implement in order to reduce its energy expenditures. The Department of Education shall track the energy expenditures for each school board and calculate its energy savings, which shall be reported to the Department of Planning and Budget, the House Appropriations Committee, and the Senate Finance Committee.

Patron - Rust

HB2198 Standards of Quality; apportionment of state and local share. Directs the General Assembly, in apportioning the state and local share for the costs of meeting the Standards of Quality, beginning July 1, 2009, to implement a formula that determines each locality's ability to pay based on the ratios of (i) the reimbursement payment made to the locality for providing tangible personal property tax relief to the reimbursement payments made statewide for providing tangible personal property tax relief; (ii) the total value of real estate in the locality adjusted by the index used for the pay differential for state employees residing in that locality to the statewide value of real estate per person; (iii) the median value of residential real estate in the locality adjusted by the index used for the pay differential for state employees residing in that locality

to the statewide median value of residential real estate; (iv) sales subject to the state sales tax in the locality to the statewide sales subject to the state sales tax; (v) revenue collected from the local personal property tax to the revenue collected statewide from the local personal property tax; and (vi) revenue collected from local lodging, local cigarette, and local meals taxes to the revenue collected statewide from these local lodging, cigarette, and meals taxes, as provided in the appropriation act. To determine each locality's composite index of ability to pay, (i) the sum of the ratios calculated on the basis of average daily membership for each locality shall be divided by the sum of the average daily membership ratios for all localities; (ii) the sum of the ratios calculated on a per capita basis for each locality shall be divided by the sum of the per capita ratios for all localities; and (iii) the locality's ratio calculated on the basis of average daily membership shall be multiplied by 0.66 and the locality's ratio calculated on a per capita basis shall be multiplied by 0.33. The sum of the two adjusted ratios in clause (iii) shall be the local composite index of ability to pay.

Patron - Watts

HB2204 Instructional spending in the classroom. Requires each local school division to allocate 65 percent of its operating budget to instructional spending. Local school boards must report annually to the Board of Education the percentage of their operating budgets allocated to instructional spending. Any school division that fails to meet the 65 percent requirement must present a plan to the Board of Education to increase instructional spending by 0.5 percent in the following year. School divisions failing to submit such a plan must be audited by the Auditor of Public Accounts who in turn must submit recommendations to the Board including instruction on how such school divisions can increase their instructional spending to 65 percent. In addition, the Board must annually report to the Senate Committee on Finance and the House Committee on Appropriations the amount of spending allocated by the local school divisions to instructional spending based on the reports submitted annually by the local school boards.

Patron - Frederick

HB2335 Standards of Quality; average teacher salary. Requires that the state average teacher salary not be less than the national average teacher salary to ensure high-quality instructional personnel in the public schools.

Patron - Amundson

HB2344 Board of Education; benchmarks for student reading achievement; adolescent literacy. Requires the Board of Education to establish benchmarks for student achievement in reading in grades six through 12 to be implemented by local school divisions in English, history and social science, science, and math. Provides that the benchmarks must be infused into the designated Standards of Learning and related assessments. Additionally requires local school boards to develop comprehensive literacy policies and action plans in order to implement the Board of Education benchmarks.

Patron - Amundson

HB2530 Board of Education; teacher licensure. Requires the Board of Education to amend its regulations to require that all secondary school teachers seeking initial licensure to teach history, civics, economics, social studies, and state and local government, shall complete a course on the current structure and historic development of the local and state governmental organization and function in the Commonwealth of Virginia. This requirement may be completed up to two years after receiving initial licensure.

Patron - Marsden

HB2552 Board of Education; diploma requirements. Requires the Board of Education to include a standard credit in economics and personal finance in its requirements for standard, modified standard, advanced studies, and general achievement diplomas. Also provides that the diploma requirements will be in effect for those students entering ninth grade for the first time beginning in the 2010-2011 academic school year.

Patron - Crockett-Stark

HB2654 Direct Aid to Public Education. Amends future Direct Aid to Public Education Distribution by lowering the maximum Composite Index

Patron - Rust

SB956 Autism Tuition Assistance Grant Program; established. Establishes a tuition assistance grant program for students with autism. The program provides grants of no more than \$20,000 a year per student to a Virginia nonsectarian private school of choice for students identified as autistic and for whom individual education plans have been written. The bill requires that in order to receive the grant the following conditions be satisfied: (i) the student has attended a public school in the Commonwealth and has received special education services for at least one year prior to the receipt of the grant; (ii) the parent has obtained acceptance for admission of the student to an eligible private school; (iii) the parent has executed and submitted to the division superintendent a written statement acknowledging that the public school has implemented an individualized educational program that is reasonably calculated to provide educational benefit; and (iv) the parent has requested the grant of the Superintendent of Public Instruction and notified the division superintendent of that request. The Board of Education is required to promulgate regulations to administer the Grant Program within 280 days of enactment.

Patron - Stosch

SB1040 No Child Left Behind; compliance. Prohibits the Board of Education from complying with any provisions of the federal No Child Left Behind Act that are unfunded and are not an integral or necessary component of the Commonwealth's own Standards of Quality, Standards of Accreditation, or Standards of Learning. Also states that the Board of Education shall not require any localities to comply with such provisions.

Patron - Hanger

SB1266 School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education might grant waivers of this requirement.

Patron - Vogel

SB1322 Guidelines for managing food allergies. Requires the Board of Education to establish guidelines for managing and caring for children with food allergies in the public schools. The guidelines must provide a protocol for caring for children with life-threatening food allergies and requirements for accommodating children with special dietary needs and training of school personnel, and incorporate Board of Education policies pertaining to the management of food allergies and the U.S. Department of Agriculture's Food and Nutrition Service standards for accommodating children with special dietary needs. This bill also requires local school boards to adopt guidelines consistent with the Board's by July 1, 2010, and to ensure that all school personnel with direct contact with students are appropriately trained in identifying and

managing children who have been exposed to specific food allergens. This bill was incorporated into SB 1367.

Patron - Whipple

SB1342 Triennial census of school population; sales and use tax distribution. Eliminates the requirement that every three years a census of all school-age persons residing within each school division take place. Also eliminates all related requirements regarding appointment and compensation of persons taking census, agents, and census results. Amends the procedure regarding sales and use tax distribution to localities so that distribution is based on the average daily membership of the school division rather than the school-age population of a school division.

Patron - Reynolds

SB1367 Public schools; students with life-threatening allergies. Requires that no later than January 1, 2010, each local school board develop and implement a policy for the management of public school students with life-threatening food allergies. This policy shall be based on the Department of Education's Special Care Issues Guidelines relating to food allergies and anaphylaxis. The bill also requires that all school personnel having direct contact with students receive appropriate training in dealing with food allergies by July 1, 2010, and incorporates SB 1322.

Patron - Barker

SB1465 Standards of learning and textbook adoption cycle; delay. Provides that notwithstanding any other provision of law, any revisions made to the Standards of Learning in effect as of June 30, 2009, shall not be implemented until the 2010-2011 school year, and that local school divisions shall not be required to purchase new textbooks until the 2010-2011 school year.

Patron - Reynolds

SB1466 Standards of Quality; Standard 2. Allows local school divisions to use the state and local funds for elementary resource teachers to employ elementary reading or math specialists, or additional staff for programs for four-year olds.

Patron - Reynolds

SB1519 Career and technical diploma; delayed. Delays implementation of the career and technical diploma until the 2010-2011 school year.

Patron - Reynolds

SB1521 Economics education and financial literacy; repealed. Repeals the requirement for economics education and financial literacy in middle and high schools.

Patron - Reynolds

SB1544 Autism Tuition Assistance Grant Program established. Establishes a tuition assistance grant program for students with autism. The program provides grants of no more than \$20,000 a year per student to a Virginia nonsectarian private school of choice for students identified as autistic and for whom individual education plans have been written. The bill requires that in order to receive the grant the following conditions be satisfied: (i) the student has attended a public school in the Commonwealth and has received special education services for at least one year prior to the receipt of the grant; (ii) the parent has obtained acceptance for admission of the student to an eligible private school; (iii) the parent has executed and submitted to the division superintendent a written statement acknowledging that the public school has implemented an individualized educational program that is reasonably calculated to provide educational benefit; and (iv) the parent has requested

the grant of the Superintendent of Public Instruction and notified the division superintendent of that request. The Board of Education is required to promulgate regulations to administer the Grant Program within 280 days of enactment. The bill creates a subtraction for any grants included in the federal adjusted gross income of a parent. The bill establishes a voluntary contribution on the individual income tax return for taxpayers wishing to make a donation to the Grant Program.

Patron - Stosch

Educational Institutions

Passed

HB1599 Grant program for certain foster care and special needs adoption students. Modifies the eligibility of the current program to allow a student enrolled in a minimum of six credit hours per semester at a two-year institution of higher education to receive a grant for tuition and fees and to ensure that a student who has a prior bachelor's degree is excluded from participation. This bill incorporates HB 1606. This bill is identical to SB 1049.

Patron - Hamilton

HB1663 State Council of Higher Education for Virginia; student advisory committee. Permits the State Council of Higher Education to appoint students enrolled in private and accredited institutions of higher education in the Commonwealth to the student advisory committee.

Patron - Tata

HB1664 State Council of Higher Education for Virginia; duties. Eliminates the requirement that the State Council of Higher Education for Virginia must develop and revise, as it deems necessary, a model institutional crisis and emergency management plan for the purpose of assisting public and private two- and four-year institutions of higher education in establishing, operating, and maintaining emergency services and disaster preparedness activities.

Patron - Tata

HB1665 State Council of Higher Education for Virginia; duties. Eliminates the requirement that the State Council of Higher Education for Virginia develop a strategic statewide plan to ensure an adequate supply of nurses.

Patron - Tata

HB1725 Board of visitors; the College of William and Mary, Virginia Polytechnic Institute and State University, and Virginia Commonwealth University. Authorizes the boards of visitors of the College of William and Mary, Virginia Polytechnic Institute and State University, and Virginia Commonwealth University to invest and manage endowment funds, endowment income, gifts, and all other nongeneral fund reserves and balances as well as local funds of or held by the College or Universities. Exempts members of the board of visitors from personal liability for losses suffered by such investment. The bill also exempts the investment and management of endowment funds, endowment income, gifts, and all other nongeneral fund reserves and balances and local funds of or held by the College and Universities from the Virginia Public Procurement Act. Finally, the bill allows the endowment funds, endowment income, gifts, and all other nongeneral fund reserves and balances and local funds of or held by the College or Universities to be invested or reinvested in derivatives, options, and financial securities in accordance with the Uni-

form Prudent Management of Institutional Funds Act. This bill is identical to SB 1395.

Patron - Rust

HB1810 Course credit; students called to active military duty. Provides that the governing boards of each public institution of higher education must implement policies that apply to students who are called to active military duty during an academic semester.

Patron - Morrissey

HB1834 Annual report of the University of Virginia board of visitors. Repeals the requirement that the University of Virginia board of visitors submit an annual report of the progress of the University to the General Assembly.

Patron - Toscano

HB1924 Tuition grants; commercial crab fishermen. Provides tuition grants for a bona fide domiciliary of Virginia who (i) is a Virginia waterman holding a valid Virginia commercial crabbing license that has incurred adverse economic impacts as determined by the U.S. Dept of Commerce Blue Crab Commercial Fishery Failure Declaration; (ii) is enrolled or has been accepted for enrollment in a degree or certificate program of at least one academic year in length in a public two-year institution of higher education in the Commonwealth; (iii) has not been enrolled in postsecondary education as a full-time student for more than three years; (iv) has submitted applications for federal student financial aid programs for which he may be eligible; and (v) is not in default of a federal educational loan or student loan made or guaranteed by Virginia. This bill is contingent upon funds from the federal relief package associated with the U.S. Dept of Commerce Blue Crab Commercial Fishery Failure Declaration being made available to cover the full cost of these tuition grants. This bill has a sunset date of July 1, 2012.

Patron - Lewis

HB1940 Open education resource centers; fund established; pilot project. Requires the State Board for Community Colleges, in consultation with the Virginia Department of Education and the State Council of Higher Education for Virginia, to develop a competitive grant pilot program to provide grants to community colleges to establish open education resource centers in the Commonwealth. To qualify for a grant, community colleges shall be required to demonstrate a partnership with faculty or staff from at least one local school division and one institution of higher education in the Commonwealth. Grants would be awarded on a competitive basis with guidelines established in the bill. The bill also establishes a fund authorizing both public and private contributions. The provisions of this bill would not become effective until either an appropriation of general funds effectuating the purposes of this bill is included in a general appropriations act passed by the 2009 or 2010 Session of the General Assembly, which becomes law, or funds from other private or public sources are deposited into the Open Education Resource Center Grant Fund by July 1, 2010. This bill is identical to SB 1173.

Patron - Peace

HB2342 National Guard; tuition assistance. Provides that notwithstanding the eligibility requirement that a member of the National Guard have a minimum of two years remaining on his service requirement in order to receive a grant, if a member is activated or deployed for federal military service, an additional day, up to 365 days, must be added to the member's eligibility for the grant for each day of federal service. Additional credit, or credit for state duty, may be awarded at the discretion of the Adjutant General.

Patron - Amundson

HB2433 Eastern Virginia Medical School. Alters the manner in which the Board of Visitors of the Eastern Virginia Medical School is appointed. Additional appointment power is granted to the Governor, the Speaker of the House, and the Senate Rules Committee. This bill is identical to SB 1249.

Patron - Joannou

HB2464 Management agreements with certain institutions of higher education. Provides that the 2006 management agreements in place between the Commonwealth and Virginia Polytechnic Institute and State University, the College of William and Mary, the University of Virginia, and the 2008 management agreement between the Commonwealth and Virginia Commonwealth University, will expire on June 30, 2012, provided that on or before November 15, 2011, the Governor provides to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance written notification that the agreements need to be renegotiated or revised. Otherwise, the management agreements will continue in effect until June 30, 2015. Also makes adjustments to the policies governing capital projects, procurement, and financial operations and management. This bill is identical to SB 1156.

Patron - Morgan

HB2546 Jamestown-Yorktown Foundation; America's 400th Anniversary Commemoration; report. Provides for the Jamestown-Yorktown Foundation to prepare a report providing an overview of the planning and a record of events for America's 400th Anniversary Commemoration on or before June 30, 2009. Under the bill the report will be prepared under the guidance of the planning entity and published as a joint document of the House of Delegates and the Senate of Virginia. The bill includes an emergency clause.

Patron - Howell, W.J.

HB2549 Virginia College Savings Plan. Provides for: (i) the exclusion of certain financial records of the Virginia College Savings Plan from the Freedom of Information Act; (ii) the authorization for closed meetings of the Board of the Virginia College Savings Plan in certain circumstances; (iii) the expansion of the Virginia College Savings Plan Board from eight to 11 members; (iv) the creation of two advisory committees to the Board; and (v) the authority for the Virginia College Savings Plan Board to establish scholarships or matching grant programs for qualified students. The bill also renames the individual hired by the Virginia College Savings Plan Board to direct, manage, and administer the Plan as the "chief executive officer," rather than the current designation of "executive director." This bill is identical to SB 1251.

Patron - Cox

SB994 Institutions of higher education; employment of campus police. Allows any public institution of higher education to direct that the chief of its campus police department not be governed by the Virginia Personnel Act. Also makes a technical amendment, correcting an outdated Code citation.

Patron - Miller, J.C.

SB1017 Roanoke Higher Education Authority. Removes Ferrum College from and corrects the name of the College of Health Sciences on the Board of Trustees of the Roanoke Higher Education Authority. This bill also removes the Executive Director of the Fifth District Employment and Training Consortium as a member of the Board.

Patron - Edwards

SB1049 Grant program for certain foster care and special needs adoption students. Modifies the eligibility of the current program to allow a student enrolled in a minimum

of six credit hours per semester at a two-year institution of higher education to receive a grant for tuition and fees and to ensure that a student who has a prior bachelor's degree is excluded from participation. This bill is identical to HB 1599.

Patron - Whipple

SB1156 Management agreements with certain institutions of higher education. Provides that the 2006 management agreements in place between the Commonwealth and Virginia Polytechnic Institute and State University, the College of William and Mary, the University of Virginia, and the 2008 management agreement between the Commonwealth and Virginia Commonwealth University, will expire on June 30, 2012, provided that on or before November 15, 2011, the Governor provides to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance written notification that the agreements need to be renegotiated or revised. Otherwise, the management agreements will continue in effect until June 30, 2015. Also makes adjustments to the policies governing capital projects, procurement, and financial operations and management. This bill is identical to HB 2464.

Patron - Edwards

SB1173 Open education resource centers; fund established; pilot project. Requires the State Board for Community Colleges, in consultation with the Virginia Department of Education and the State Council of Higher Education for Virginia, to develop a competitive grant pilot program to provide grants to community colleges to establish open education resource centers in the Commonwealth. To qualify for a grant, community colleges shall be required to demonstrate a partnership with faculty or staff from at least one local school division and one institution of higher education in the Commonwealth. Grants would be awarded on a competitive basis with guidelines established in the bill. The bill also establishes a fund authorizing both public and private contributions. The provisions of this bill would not become effective until either an appropriation of general funds effectuating the purposes of this bill is included in a general appropriations act passed by the 2009 or 2010 Session of the General Assembly, which becomes law, or funds from other private or public sources are deposited into the Open Education Resource Center Grant Fund by July 1, 2010. This bill is identical to HB 1940.

Patron - Watkins

SB1249 Eastern Virginia Medical School. Alters the manner in which the Board of Visitors of the Eastern Virginia Medical School is appointed, grants additional appointment power to the Governor, the Speaker of the House, and the Senate Rules Committee, and provides for the rotation of appointments among the Governor, Senate, and House. This bill is identical to HB 2433

Patron - Northam

SB1251 Virginia College Savings Plan. Provides for: (i) the exclusion of certain financial records of the Virginia College Savings Plan from the Freedom of Information Act; (ii) the authorization for closed meetings of the Board of the Virginia College Savings Plan in certain circumstances; (iii) the expansion of the Virginia College Savings Plan Board from eight to 11 members; (iv) the creation of two advisory committees to the Board; and (v) the authority for the Virginia College Savings Plan Board to establish scholarships or matching grant programs for qualified students. The bill also renames the individual hired by the Virginia College Savings Plan Board to direct, manage, and administer the Plan as the "chief executive officer," rather than the current designation of "executive director." This bill is identical to HB 2549.

Patron - Miller, Y.B.

SB1395 Board of visitors; the College of William and Mary, Virginia Polytechnic Institute and State University, and Virginia Commonwealth University. Authorizes the boards of visitors of the College of William and Mary, Virginia Polytechnic Institute and State University, and Virginia Commonwealth University to invest and manage endowment funds, endowment income, gifts, and all other nongeneral fund reserves and balances as well as local funds of or held by the College or University. Exempts members of the board of visitors from personal liability for losses suffered by such investment. The bill also exempts the investment and management of endowment funds, endowment income, gifts, and all other nongeneral fund reserves and balances and local funds of or held by the College and Universities from the Virginia Public Procurement Act. Finally, the bill allows the endowment funds, endowment income, gifts, and all other nongeneral fund reserves and balances and local funds of or held by the College or University to be invested or reinvested in derivatives, options, and financial securities in accordance with the Uniform Management of Institutional Funds Act. This bill is identical to HB 1725.

Patron - Norment

SB1547 Eligibility for state financial aid programs. Provides that persons who have completed a program of home school instruction and certain persons who have been excused from school attendance shall be deemed to have met any high school graduation requirements for purposes of eligibility for any state-supported financial or other higher education programs. Also, when a high school grade point average, class rank, or other academic criteria is specified as a condition of participating, the State Council of Higher Education for Virginia (SCHEV) will develop an equivalent measure for such students.

Patron - Cuccinelli

Failed

HB1606 Grant program for certain foster care and special needs adoption students. Modifies the eligibility of the current program to allow a student enrolled in a minimum of six credit hours per semester at a two-year institution of higher education to receive a grant for tuition and fees and to ensure that a student who has a prior bachelor's degree is excluded from participation. This bill was incorporated into HB 1599.

Patron - Poisson

HB1608 Automatic acceptance to institutions of higher education. Directs the governing boards of public institutions of higher education to provide for the automatic acceptance of those resident students applying for admission who have graduated from a public or private high school in Virginia with a grade point average in the top 10 percent of such student's graduating class and have been honorably discharged from service in the United States Armed Forces, the United States Armed Forces Reserves, the Virginia National Guard, or the Virginia National Guard Reserve.

Patron - Poisson

HB1612 Community College Scholarship Match Program. Establishes the Community College Scholarship Match Program to provide matching funds to community college foundations and the Virginia Foundation for Community College Education. Funds may be paid on the basis of one dollar of state general fund appropriation for every one dollar donated by private individuals, foundations, or corporations beginning on July 1, 2009. These funds must be used to award scholarships to students who (i) are domiciled residents of Vir-

ginia, (ii) graduated from a public or private Virginia high school, and (iii) are enrolled in a Virginia community college. The provisions of the bill are contingent upon an appropriation of general funds in the appropriation act by the 2009 Regular Session of the General Assembly.

Patron - Dance

HB1638 College Scholarship Assistance Program; out-of-state student surcharge. Provides that the State Council of Higher Education must collect a surcharge from each out-of-state student attending a public institution of higher education in the Commonwealth. The amount of the surcharge for each student represents the difference between 350 percent of the annual in-state tuition rate charged at the institution at which the student is enrolled and the amount charged annually for out-of-state tuition at the institution at which the student is enrolled. The funds collected by SCHEV from such surcharge must be applied to the College Scholarship Assistance Program.

Patron - Poisson

HB1656 Possession of concealed handguns by faculty members at state institutions of higher education. Allows full-time faculty members of state institutions of higher education who possess a valid Virginia concealed handgun permit to carry a concealed handgun on campus.

Patron - Marshall, R.G.

HB1696 Admission of in-state students at public institutions of higher education. Provides that the board of visitors or other governing body of each public institution of higher education must establish rules and regulations increasing the number of admitted Virginia domiciles 1.3 percent annually until the number of admitted Virginia domiciles reaches 80 percent of all admitted students.

Patron - Albo

HB1750 Campus police; report of certain incidents to local law-enforcement agency. Requires the chief of the campus police department of a public institution of higher education to notify the Virginia State Police after any incident involving a shooting has occurred on campus. Upon notification, the Virginia State Police may, at the request of the campus police, assume responsibility for leading the investigation with cooperation from the institution of higher education.

Patron - Carrico

HB1990 George Mason University; community representatives to board of visitors. Permits the board of visitors of George Mason University to enter into a memorandum of agreement with Fairfax County and the City of Fairfax to appoint nonvoting, advisory community representatives to the board and to establish procedures for such appointment.

Patron - Bulova

HB2082 Virginia Early Graduation Incentive Grant Program. Establishes the Virginia Early Graduation Incentive Grant Program for the purpose of providing grants to Virginia students who (i) have received an undergraduate degree within three years from any public or private accredited institution of higher education in Virginia, (ii) are enrolled in a graduate program preparing students for careers in professions with workforce shortages, and (iii) have agreed to work in Virginia upon receiving a graduate degree. The State Council of Higher Education for Virginia is designated as the administering agency for the program and must adopt regulations for the disbursement of grants and the administration of the program. Before grants are awarded, recipients must sign a promissory note under which they agree (i) to begin employment in the Commonwealth within six months of receiving a graduate degree

and (ii) to continue such employment in the Commonwealth for at least three years. Only students who maintained a 3.0 grade point average while enrolled as undergraduates are eligible to participate in the program. Eligibility is limited to two academic years or the equivalent number of credit hours.

Patron - Saxman

HB2149 State Council of Higher Education for Virginia; teacher preparation program task force. Directs the Council to establish a task force to develop a plan to expand higher education teacher preparation programs for career and technical education and other critical shortage areas identified by the Board of Education.

Patron - Nutter

HB2295 Two-Year College Transfer Grant. Increases the annual amount of the grant from \$1,000 to \$1,500.

Patron - Caputo

HB2324 Admission of in-state students at public institutions of higher education. Provides that the board of visitors or other governing body of each public institution of higher education must establish rules and regulations requiring that, beginning with the transfer students for the fall of 2010, at least 80 percent of transfer students admitted to the institution be Virginia domiciles. State funds must be withheld from any institution that does not fulfill the 80 percent requirement.

Patron - Athey

HB2325 Admission of in-state students at public institutions of higher education. Provides that the board of visitors or other governing body of each public institution of higher education must establish rules and regulations requiring that, beginning with the incoming freshman class of 2010, at least 70 percent of students admitted to the institution be Virginia domiciles. State funds must be withheld from any institution that does not fulfill the 70 percent requirement.

Patron - Athey

HB2327 Community College Scholarship Match Program. Establishes the Community College Scholarship Match Program to provide matching funds to community college foundations and the Virginia Foundation for Community College Education. Funds may be paid on the basis of one dollar of state general fund appropriation for every one dollar donated by private individuals, foundations, or corporations beginning on July 1, 2009. These funds shall be used to award scholarships to students who (i) are domiciled residents of Virginia, and (ii) are enrolled in a Virginia community college.

Patron - Athey

HB2404 Virginia Universities Clean Energy Development and Economic Stimulus Foundation. Creates the Virginia Universities Clean Energy Development and Economic Stimulus Foundation as a body corporate and a political subdivision of the Commonwealth. The Foundation shall identify, obtain, disburse and administer funding for: (i) research and development of alternative fuels, clean energy production, and related technologies; (ii) support of economic development projects in disadvantaged rural areas; and (iii) the provision of assistance in the commercialization of alternative fuels and clean energy technologies. Funding shall be awarded only to those proposed projects that best meet the established criteria and purposes of this act.

Patron - Bell

HB2475 Admission of in-state students at public institutions of higher education. Provides that the board of visitors or other governing body of each public institution of higher education, except for the Virginia Military Institute,

Norfolk State University, and Virginia State University, must establish rules and regulations requiring that at least 75 percent of students admitted and enrolled at the institution be Virginia domiciles.

Patron - Hugo

HB2581 Eligibility for in-state tuition; Native Americans. Provides that any person who is a member of a Native American tribe officially recognized by the Commonwealth is eligible for in-state tuition so long as such membership is verified. Additionally, out-of-state students granted in-state tuition because of the provision must be counted as in-state students for the purposes of determining college admissions, enrollment, and tuition and fee revenue policies.

Patron - Morrissey

HB2616 Eligibility for in-state tuition. Provides that a person holding a student or other temporary visa may establish eligibility for in-state tuition by providing evidence that he (i) has resided in Virginia for at least five years, (ii) has received a high school diploma from a public school in Virginia or a GED certificate, (iii) is enrolled as a student in a public institution of higher education in the Commonwealth, (iv) has paid Virginia state income taxes for at least one year prior to the date of enrollment, and (v) has filed an affidavit with the college or university where he is enrolled that he will make application for permanent residency within 90 days of the date in which he becomes eligible to do so. This bill also affords the same rights and benefits to such students as those who are otherwise eligible for in-state tuition. The State Council of Higher Education and the Board of the Virginia Community College System are required to develop guidelines for providing eligibility for in-state tuition and state financial aid to persons holding a student or other temporary visa. Information provided by such persons to establish eligibility for in-state tuition in accordance with the provisions of the legislation may not be disclosed without the written permission of the person who is the subject of the inquiry.

Patron - Hull

SB866 Community College Scholarship Match Program. Establishes the Community College Scholarship Match Program to provide matching funds to community college foundations and the Virginia Foundation for Community College Education. Funds paid shall not exceed \$5 million in any fiscal year. These funds shall be used to award scholarships to students who (i) are domiciled residents of Virginia, (ii) graduated from a public or private Virginia high school, and (iii) are enrolled in a Virginia community college. This bill was incorporated into SB 1118.

Patron - Edwards

SB977 SCHEV guidelines; developmentally disabled students. Requires the State Council of Higher Education for Virginia to develop guidelines for curriculum adjustments for developmentally challenged and developmentally disabled students that shall be implemented by all public two-year institutions of higher education.

Patron - Stuart

SB1037 In-state tuition; illegal aliens. Establishes that an alien 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 Virginia or has received a General Education Development (GED) certificate in Virginia; (iii) he has resided in the Commonwealth for at least three years as of the date he graduated from high school, or one

year of residency if a veteran or an active duty member of the U.S. Armed Forces; (iv) he has registered as an entering student in an institution of higher education; (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.

Patron - Hanger

SB1118 Community College Scholarship Match Program. Establishes the Community College Scholarship Match Program to provide matching funds to community college foundations and the Virginia Foundation for Community College Education. Funds may be paid on the basis of one dollar of state general fund appropriation for every one dollar donated by donors on or after July 1, 2010, with state appropriations not to exceed \$5 million in any fiscal year. These funds shall be used to award scholarships to students who (i) are domiciled residents of Virginia and (ii) are enrolled in a Virginia community college. The bill contains a delayed effective date of July 1, 2010. This bill incorporates SB 866.

Patron - Colgan

SB1214 Two-Year College Transfer Grant Program; eligibility. Includes Virginia domiciles who have earned 60 credit hours in a university parallel program towards a four-year degree at a Virginia two-year public institution of higher education as eligible for the Two-Year College Transfer Grant Program. The bill is contingent upon funds being appropriated during the 2009 General Assembly session.

Patron - Deeds

SB1240 Two-Year College Transfer Grant. Increases the annual amount of the grant from \$1,000 to a maximum of \$1,500. The bill is contingent upon the appropriation of funds during the 2009 General Assembly session.

Patron - Stosch

Elections

Passed

HB1643 Conduct of elections; service and oaths of officers of election; number of observers permitted at the polls. Provides that (i) the electoral board may provide for administering oaths for officers of election taking into account the hours of service of the officers and (ii) at least one party or candidate representative for each pollbook station shall be permitted as an observer in the polling place.

Patron - Englin

HB1712 Federal write-in absentee ballots; witness requirement. Removes the requirement that a federal write-in absentee ballot will only be considered valid for purposes of simultaneously satisfying both an absentee ballot application and a completed absentee ballot for federal offices if the envelope contains the signature of a witness and his printed name and address. The bill provides that the envelope need only contain the signature of the witness in order for the ballot to be considered valid. The bill also provides that the ballot must be received no later than the closing of the polls rather than five days before the election and that the federal write-in absentee ballot may serve as a registration application if the voter is eli-

gible to register in Virginia. This bill incorporates HB 2221. This bill is identical to SB 993.

Patron - Janis

HB1740 Campaign Finance Disclosure Act; personal use. Provides that it is unlawful to convert any money, securities, or like intangible personal property that has been contributed to a campaign committee to the personal use of a member of the candidate's family (spouse or dependent child). Parallel prohibitions are applied to political action, political party, referendum, and inaugural committees and the immediate family of the committee's treasurer or chief executive. Present law makes, and will continue to make, it unlawful for any person to convert such contributed property to his own use.

Patron - Purkey

HB1771 Elections; vacancies in constitutional offices. Provides that the special election to fill a vacancy in a constitutional office (clerk of the circuit court, attorney for the Commonwealth, sheriff, commissioner of the revenue, and treasurer) in localities with a population of 15,000 or less, or a constitutional office shared by localities with a combined population of 15,000 or less, shall be scheduled to be held at the next November general election rather than on a more promptly scheduled special election date. Emergency.

Patron - Pollard

HB1791 Elections; officers of election; independent voters. Authorizes local electoral boards to appoint independent voters to serve as officers of election as long as the chief and assistant chief officers represent the two leading political parties. Current law requires equal representation of the two major political parties in the appointment of officers of election, and does not explicitly authorize additional appointments of voters who are not nominated by a political party.

Patron - Brink

HB1832 Elections; general registrars; their appointment, qualification, and term; vacancies; and prohibitions. Provides that the electoral board of a city that is wholly contained within one county may appoint a qualified voter of that county to serve as city general registrar. Cities wholly contained within one county include Bedford City, Buena Vista, Charlottesville, Covington, Danville, Emporia, Fairfax City, Harrisonburg, Lexington, Manassas, Martinsville, Norton, Roanoke City, Salem, Staunton, Waynesboro, and Winchester.

Patron - Toscano

HB1877 Elections; absentee voting process; first responders. Provides that law-enforcement officers, firefighters, and other first responders are entitled to vote absentee and requires prompt service on absentee ballot applications backed up by jurisdiction in the circuit courts to order compliance with the statutory requirements. This bill is identical to SB 1070.

Patron - Cosgrove

HB1878 Elections; clarifications and revisions to registration and election processes; penalties. Incorporates changes to definitions, duties of election officials, registration procedures, voting procedures, and election offenses; penalties. This bill incorporates HBs 1610, 1630, 1978, and 2219. This bill is identical to SBs 848 and 1188.

Patron - Cosgrove

HB1881 Elections; absentee voting; response to applications. Provides that the absentee ballot shall be sent by email to military and overseas voters and their families who are located outside the Commonwealth and who request the ballot

be sent by email. However, the voted ballot must be returned by mail.

Patron - Miller, P.J.

HB1892 State Board of Elections; powers and duties. Addresses the Board's authority to oversee local election officials and imposes limits on the political activities of Board staff members. Specifically, electoral boards and registrars are required to follow (i) the elections laws and (ii) the rules and regulations of the Board insofar as they do not conflict with Virginia or federal law. The Board shall also set the training standards for the officers of election and ensure that members of its own staff refrain from overt political activity.

Patron - Brink

HB2197 Elections; assistance for certain voters. Provides certain procedures for assisting voters in a language other than English and requires the officer or person assisting a voter using a paper or mark-sense ballot to deposit the ballot in the ballot container without examining its contents.

Patron - Watts

HB2422 Elections; acquisition of voting equipment by localities. Modifies the provision enacted in 2007 that prohibits the acquisition of direct recording electronic (DRE) machines by any locality on and after July 1, 2007. The modification will allow a locality that acquired DREs before July 1, 2007, to acquire DREs on a temporary basis to conduct a special election when its existing DRE inventory is insufficient because the inventory is wholly or partly under lock and seal following an election. This bill is identical to SB 988.

Patron - May

HB2465 Petition to remove public official; costs. Provides that the court shall not dismiss a petition for the removal of a public official solely because of an error or omission in the form of the petition relating to its statement of the grounds or reasons for removal unless the error or omission is material in determining whether statutory requirements have been met. The measure provides further that any person who signs or circulates a petition for the removal of a public official (i) will not be liable for any costs associated with the proceedings, including attorney fees or court costs, and (ii) will not have sanctions imposed on him under the statute (§ 8.01-271.1) that provides sanctions in frivolous court proceedings. This bill incorporates HB 2049. This bill is identical to SB 1394.

Patron - Morgan

HB2544 Elections; recounts. Applies to elections in which the winning or losing candidate was a write-in candidate and provides that the losing candidate may initiate a recount when the difference between the winning and losing candidates is not more than five percent of the total vote cast for those two candidates. Ordinarily, a recount may be initiated only if the difference between the winning and losing candidates is not more than one percent of the total vote cast for those two candidates.

Patron - Cole

HB2642 Elections; duties of the State Board of Elections with respect to registration procedures. Requires the State Board of Elections to conduct a match of registered voter lists with the list of deceased persons maintained by the Social Security Administration.

Patron - Orrock

HB2666 Elections; activities at polling places; representatives and observers. Provides that representatives shall be positioned to see and hear the voting process and for their right to appeal to the local board if dissatisfied with chief

officer's decision on placement. The bill also adds certain requirements in connection with the use of voting equipment to assist curbside voters.

Patron - Pogge

SB848 Elections; clarifications and revisions to registration and election processes; penalties. Incorporates changes to definitions, duties of election officials, registration procedures, voting procedures, and election offenses; penalties. This bill is identical to SB 1188 and HB 1878.

Patron - Edwards

SB988 Elections; acquisition of voting equipment by localities. Modifies the provision enacted in 2007 that prohibits the acquisition of direct recording electronic (DRE) machines by any locality on and after July 1, 2007. The modification will allow a locality that acquired DREs before July 1, 2007, to acquire DREs on a temporary basis to conduct a special election when its existing DRE inventory is insufficient because the inventory is wholly or partly under lock and seal following an election. This bill is identical to HB 2422.

Patron - Colgan

SB993 Federal write-in absentee ballots; witness requirement. Removes the requirement that a federal write-in absentee ballot will only be considered valid for purposes of simultaneously satisfying both an absentee ballot application and a completed absentee ballot for federal offices if the envelope contains the signature of a witness and his printed name and address. The bill provides that the envelope need only contain the signature of the witness in order for the ballot to be considered valid. The bill also provides that the ballot must be received no later than the closing of the polls rather than five days before the election and that the federal write-in absentee ballot may serve as a registration application if the voter is eligible to register in Virginia. This bill incorporates SBs 826 and 948. This bill is identical to HB 1712.

Patron - Miller, J.C.

SB1070 Elections; absentee voting process; first responders. Provides that law-enforcement officers, firefighters, and other first responders are entitled to vote absentee and requires prompt service on absentee ballot applications backed up by jurisdiction in the circuit courts to order compliance with the statutory requirements. This bill is identical to HB 1877.

Patron - Martin

SB1155 Elections; ballot requirements; deadlines for printing ballots. Clarifies that the deadlines for having ballots ready for absentee voting are 45 days before the November general election and 30 days before any other general, special, or primary election. The bill specifies that only in the case of a special election when the deadline cannot be met is there a provision for having the ballots ready "as soon after the deadline as possible."

Patron - Edwards

SB1188 Elections; clarifications and revisions to registration and election processes; penalties. Incorporates changes to definitions, duties of election officials, registration procedures, voting procedures, and election offenses; penalties. This bill is identical to SB 848 and HB 1878.

Patron - Blevins

SB1365 Elections; addresses of protected voters. Revises statutory language regarding protected voters who are permitted to furnish a post office box in lieu of a residence street address to be included on lists of registered voters and lists of persons who voted. The bill also adds any party partici-

pating in the address confidentiality program pursuant to § 2.2-515.2 to those protected persons who may furnish a post office box in lieu of a residence street address. It also provides how a protected voter may change his post office box address.

Patron - Ticer

SB1394 **Petition to remove public official; costs.** Provides that the court shall not dismiss a petition for the removal of a public official solely because of an error or omission in the form of the petition relating to its statement of the grounds or reasons for removal unless the error or omission is material in determining whether statutory requirements have been met. The measure provides further that any person who signs or circulates a petition for the removal of a public official (i) will not be liable for any costs associated with the proceedings, including attorney fees or court costs, and (ii) will not have sanctions imposed on him under the statute (§ 8.01-271.1) that provides sanctions in frivolous court proceedings. This bill is identical to HB 2465.

Patron - Norment

Failed

HB1607 **Online voter registration.** Provides that the State Board of Elections will accept applications for registration electronically on its website. Only applicants who possess a driver's license or identification card issued by the Virginia Department of Motor Vehicles shall be eligible to register electronically. The State Board will verify that the information submitted electronically matches the information contained in the applicant's record with the Department of Motor Vehicles and shall obtain an electronic copy of the applicant's signature from the Department.

Patron - Poisson

HB1610 **Elections; prohibited activities at the polls.** Creates an exception to the prohibition on campaign activities within 40 feet of the polling place or within the polling place for the wearing by voters of buttons, stickers, or items of apparel that contain a candidate's name or a political slogan. This bill is identical to SB 867. This bill was incorporated into HB 1878.

Patron - Shuler

HB1620 **Elections; early voting.** Provides that any registered voter qualified to vote in the election may vote in person from 14 to three days before the election (or eight to three days before a special election) at specified times and at the sites provided in the locality. The provisions for absentee voting remain in effect except that the provisions for in-person absentee voting are superseded by the early voting process during the early voting period. The bill takes effect January 1, 2010.

Patron - Dance

HB1621 **Elections; absentee voting.** Provides that qualified voters may vote absentee for any reason. The bill eliminates the present statutory list of specific reasons entitling a voter to cast an absentee ballot. Several special provisions concerning military and overseas absentee voters and disabled voters are consolidated in two new provisions. This bill is identical to HB 2301 and SB 1010 as introduced.

Patron - Dance

HB1630 **Voter registration residence requirements; students.** Provides that a person who has established a physical presence and a place of abode in Virginia and who is enrolled as a full-time student in a degree or certificate program at an accredited public or private institution of higher

education physically located in the Commonwealth shall be presumed to have established a domicile at that place of abode. This presumption shall not affect any determination of whether the student is eligible for in-state tuition. This bill was incorporated into HB 1878.

Patron - Shuler

HB1634 **Campaign finance; prohibited activities during regular sessions of the General Assembly.** Prohibits any General Assembly member, the Governor, Lieutenant Governor, or Attorney General from attending any fundraising event held during a regular session of the General Assembly if the event is sponsored by any political party committee, registered lobbyist, or any organization, group, or person from whom the member or statewide official received a campaign contribution prior to the session in the session year or during the preceding calendar year. The bill defines "fundraising event" as any event that generates any contribution, or utilizes any expenditure, that is reportable under Virginia or federal campaign finance disclosure laws.

Patron - Saxman

HB1644 **Elections; early voting.** Provides that any registered voter qualified to vote in the election may vote in person from 19 to three days before the election at specified times and at the sites provided in the locality. The provisions for absentee voting remain in effect except that the provisions for in-person absentee voting are superseded by the early voting process during the early voting period.

Patron - Ware, O.

HB1658 **Campaign contributions; stored value cards; prohibition.** Provides that campaign contributions made through a stored value card may never be accepted. The bill defines the term "stored value card." The bill also adds a provision applicable to candidate campaign committees that the candidate or committee cannot accept any contribution that is not attributable to an identified person. Any amount received that cannot be attributed to an identified person shall be contributed to charity.

Patron - Marshall, R.G.

HB1672 **Elections; absentee voting procedures; federal write-in ballots.** Deletes the requirement that a witness sign the envelope containing the voted absentee ballot. The absentee voter must sign the envelope.

Patron - Dance

HB1685 **Bipartisan Redistricting Commission created.** Establishes a seven-member temporary commission to prepare redistricting plans in 2011 and each tenth year thereafter for the House of Delegates, state Senate, and congressional districts. Appointments to the Commission shall be made one each by the four majority and minority party leaders of the House and Senate and by the state chairmen of the two major political parties. Those six appointees shall appoint the seventh member and chairman for the Commission. If they cannot agree, they shall submit the names of the two persons receiving the most votes to the Supreme Court for the Court to select the chairman. The Commission will prepare plans and submit them as bills to the General Assembly. The General Assembly shall then proceed to act on the bills in the usual manner. The bill provides for Commission comments on plans as they change in the legislative process. It also spells out the standards and process to be followed by the Commission in preparing plans, including limitations on the use of political data and opportunities for public comment on the plans. This bill is identical to SB 926.

Patron - Valentine

HB1780 Elections; filling vacancies in certain local offices; special elections. Provides that vacancies in a governing body or elected school board shall be filled at the next ensuing November or May general election notwithstanding any other statutory or charter provision to the contrary; thus overriding charter provisions that may allow a governing body or school board to appoint a person to serve the entire remaining portion of a term. In the case of a vacancy in a local governing body, the local governing body may request a special election on a date prior to the next general election.

Patron - Athey

HB1793 Redistricting process. Creates a seven-member Citizen Advisory Redistricting Board to prepare and recommend state legislative and congressional redistricting plans for consideration and enactment by the General Assembly. The Chief Justice of the Supreme Court designates a special master who is chair. The Governor appoints four members from recommendations (three each) of the majority and minority leaders in each house. The remaining two Board members are appointed by the Governor after considering recommendations of the state party committee chairs of parties with candidates receiving at least 25 percent of the vote in the last gubernatorial election. This bill adopts apportionment standards of federal and state law (currently, population equality, compactness, and contiguity). This bill is patterned in part after the Vermont redistricting process and adapted for Virginia's election schedule and district structure. The bill provides for continuation of the Joint Reapportionment Committee to facilitate development of proposed plans by the Citizen Advisory Redistricting Board and enactment of plans by the General Assembly under Article II, Section 6, of the Constitution.

Patron - Brink

HB1795 Elections; provisional ballots. Provides that a provisional ballot cast by a voter whose name did not appear in the pollbook for the precinct where he voted on election day may be counted after election day if the voter is entitled by law to vote in that county or city and in one or more of the election districts on the provisional ballot.

Patron - Brink

HB1894 Elections; absentee voting. Provides that qualified voters may vote absentee in person without providing an excuse or reason for not being able to vote in person on election day. The bill retains the present statutory list of specific reasons entitling a voter to cast an absentee ballot for those persons who vote absentee by mail. This bill is identical to SB 810.

Patron - Dance

HB1896 Elections; persons entitled to vote absentee. Adds persons who are disabled and entitled to request assistance in voting and persons who are age 65 and older to the list of persons eligible to vote absentee.

Patron - Watts

HB1978 Registration residence requirements; domicile; presumption. Provides that a person who has established a physical presence and a place of abode in Virginia shall be presumed to have established a domicile at that place of abode. The bill also provides there shall be no presumption regarding whether a person is a resident of Virginia based on the person's actual or perceived status as a student or his occupancy in housing commonly occupied by students and that no factor shall be considered to conclude that a student is not domiciled in Virginia if that factor results from his status as a student. The bill requires the State Board of Elections to promulgate instruc-

tions to ensure the uniform application of these presumptions. This bill was incorporated into HB 1878.

Patron - McClellan

HB1988 Elections; assistance for certain voters; curbside voting; and persons entitled to vote absentee. Removes curbside voting as an option for persons age 65 and older and retains curbside voting for the disabled. The bill provides that all persons age 65 and older are entitled to vote absentee. This bill is identical to SB 1091.

Patron - Miller, P.J.

HB2015 Elections; hours that polls are open for voting. Adds one hour to the time that the polls are open for voting by moving the closing time from 7:00 p.m. to 8:00 p.m. The bill also makes conforming changes to absentee voting laws.

Patron - Ebbin

HB2047 Elections; local electoral boards. Allows the judges who appoint the members of the local electoral board of a county or city with a population of 15,000 or less to appoint a qualified voter of an adjacent county or city who otherwise meets the requirements of the Constitution of Virginia and statutory law.

Patron - Gear

HB2049 Removal of public official; costs. Provides that no person who signs a petition for the removal of an official pursuant to § 24.2-233 or who circulates such a petition (i) shall be liable for any costs associated with removal proceedings conducted pursuant to the petition, including attorney fees incurred by any other party or court costs, or (ii) shall have sanctions imposed against him pursuant to § 8.01-271.1. This bill was incorporated into HB 2465.

Patron - Gear

HB2110 Elections; early voting. Provides that any registered voter qualified to vote in the election may vote in person from 17 to three days before the election at specified times and at the sites provided in the locality. The provisions for absentee voting remain in effect except that the provisions for in-person absentee voting are superseded by the early voting process during the early voting period. The bill takes effect January 1, 2010. This bill is identical to HB 2307.

Patron - Spruill

HB2113 Elections; persons entitled to vote absentee. Adds persons age 65 and older to the list of persons eligible to vote absentee.

Patron - Spruill

HB2219 Qualified voter; definition of "residence." Provides that, for the purpose of determining an applicant's domicile, the general registrar may request information regarding the applicant's intent, conduct, and other attendant circumstances verbally or in writing when the qualification of the applicant is in question or when the applicant provides an address that is not listed as residential by the United States Postal Service and the Virginia Electronic Registration Information System. This bill was incorporated into HB 1878.

Patron - Alexander

HB2221 Federal write-in absentee ballots; witness requirement. Removes the requirement that a federal write-in absentee ballot will only be considered valid for purposes of simultaneously satisfying both an absentee ballot application and a completed absentee ballot for federal offices if the envelope contains the signature of a witness and his printed name and address. The bill provides that the envelope need only con-

tain the signature of the witness in order for the ballot to be considered valid. This bill is identical to HB 1712 and SBs 826, 948, and 993 as introduced. This bill was incorporated into HB 1712.

Patron - Alexander

HB2301 Elections; absentee voting. Provides that qualified voters may vote absentee for any reason. The bill eliminates the present statutory list of specific reasons entitling a voter to cast an absentee ballot. Several special provisions concerning military and overseas absentee voters and disabled voters are consolidated in two new provisions. This bill is identical to HB 1621 and SB 1010 as introduced.

Patron - Caputo

HB2307 Elections; early voting. Provides that any registered voter qualified to vote in the election may vote in person from 17 to three days before the election at specified times and at the sites provided in the locality. The provisions for absentee voting remain in effect except that the provisions for in-person absentee voting are superseded by the early voting process during the early voting period. The bill takes effect January 1, 2010. This bill is identical to HB 2110.

Patron - Melvin

HB2438 Electronic reforms; State Board of Elections. Makes various amendments to Title 24.2 (Elections) that authorize the State Board of Elections to utilize various electronic systems. The bill specifies that the State Board shall (i) accept absentee voter applications and receive changes of a registered voter's name or address electronically; (ii) conduct a pilot program permitting a participating candidate for office, other than a party nominee, to provide electronically some or all of the signatures of qualified voters required to get his name on the ballot; and (iii) provide electronic pollbooks for each precinct or locality that uses them at least five days, rather than 10 days, before an election. The bill also provides that the State Board shall provide only electronic pollbooks, and not written pollbooks, for any election held on or after July 1, 2010, or any subsequent year and makes corresponding amendments that become effective on July 1, 2010. The bill also provides that the State Board of Elections may furnish absentee voter applicant lists to candidates or political party chairmen for use only for campaign and political purposes. Such lists shall not contain any voter's social security number, or part thereof, day and month of birth, or the residence address of a voter who has provided a post office box in lieu of a residence street address. This bill is identical to SB 1320 as introduced.

Patron - Poisson

HB2450 Elections; deadlines for political parties to file candidate and elector names in presidential elections and for the printing of ballots. Repeals a special provision enacted in 2003 that provided additional time for printing presidential ballots if the political party's convention would be held after the 74th day before the election. The effect of the repeal is to retain the requirement that the parties furnish the names of their presidential candidates and electors by noon of the 74th day before the election. The bill also makes clear that the deadlines for having ballots ready for absentee voting is 45 days before the November general election and 30 days before any other general, special, or primary election. It also specifies that only in the case of a special election when the deadline cannot be met is there a provision for having the ballots ready "as soon after the deadline as possible." This bill is identical to SB 1155 as introduced.

Patron - Sickles

HB2466 Removal of public official; costs. Provides that no person who signs a petition for the removal of an offi-

cial pursuant to § 24.2-233 or who circulates such a petition (i) shall be liable for any costs associated with removal proceedings conducted pursuant to the petition, including attorney fees incurred by any other party or court costs, or (ii) shall have sanctions imposed against him pursuant to § 8.01-271.1.

Patron - Morgan

HB2496 Elections; early voting pilot projects. Authorizes the State Board of Elections to establish early voting pilot projects for general elections in 2010 and 2011 in counties or cities choosing to participate. Provides that any registered voter may vote in person from 17 to three days before the election at specified times and at the sites provided in the locality. The provisions for absentee voting remain in effect except that the provisions for in-person absentee voting are superseded by the early voting process during the early voting period.

Patron - Alexander

HB2509 Elections; voter integrity and identification provisions. Requires the following steps to emphasize integrity in the voting process: (i) posting notice in at least two languages at the polls of legally required voting qualifications and penalties for violations; (ii) requiring proof of citizenship with registration applications; and (iii) revising the voter identification requirements for in-person and absentee voting procedures. The act will take effect January 1, 2010.

Patron - Marshall, R.G.

HB2538 Virginia Advisory Redistricting Commission. Creates an advisory commission to draw plans to redistrict General Assembly and congressional districts in the year 2011 and every tenth year thereafter. The General Assembly retains power to adopt, amend, or reject commission plans. The bill spells out the standards to be followed by the commission in drawing plans and provides for the expiration of the commission following implementation of the decennial redistricting plans.

Patron - Plum

HB2543 Campaign fundraising; special sessions. Requires that contributions greater than \$500 received by members of the General Assembly, the Governor, the Lieutenant Governor, and the Attorney General during special sessions of the General Assembly be reported to the State Board or local electoral board within 24 hours. Currently, a total ban on fundraising applies during regular legislative sessions, but not special sessions of the General Assembly. The new reporting requirements are similar to those that apply in the week prior to an election.

Patron - Valentine

HB2614 Elections; absentee ballot requirements. Deletes the requirement that the voter print his full residence address on the envelope in which he seals his voted absentee ballot and replaces it with the requirement that he print the name of the county or city where he is a resident.

Patron - Watts

HB2621 Campaign finance; contribution limits. Imposes limits on contributions to candidates for Governor, Lieutenant Governor, Attorney General, and the General Assembly. The limit on contributions by individuals and other persons to a statewide office candidate is \$5,000 per election cycle and, on contributions by political action committees (PACs), \$10,000. The limit on contributions by individuals and other persons to a General Assembly candidate is \$1,000 per election cycle and, on contributions by PACs, \$2,000. There are no limits on contributions by political party committees or by a candidate to his own campaign. Civil penalties for viola-

tions of the limits may equal up to two times the excess contribution amounts.

Patron - Pollard

HB2648 Elections; methods for counting absentee ballots. Provides that the local electoral board, rather than the general registrar, shall conduct the procedures authorized to expedite the counting of absentee ballots. The bill also requires notice to the political parties or candidates authorized to have representatives present in the polling place so they may have representatives present while the expedited procedures are followed. The bill also places time limits on the use of the expedited procedures.

Patron - Jones

HB2652 Standard of conduct for Governor, Lieutenant Governor, Attorney General, and General Assembly members; prohibitions on gifts; limits on campaign contributions. Prohibits the acceptance of gifts by the Governor, Lieutenant Governor, Attorney General, and General Assembly members with limited exceptions for gifts from relatives and awards from private sector employers. The bill also imposes limits on contributions to candidates for Governor, Lieutenant Governor, Attorney General, and the General Assembly. The limit on contributions by any person or political committee to a statewide office candidate is \$2,500 per election cycle and to a General Assembly candidate is \$1,000 per election cycle. There are no limits on contributions by a candidate to his own campaign. Civil penalties for violations of the limits may equal up to two times the excess contribution amounts.

Patron - Joannou

HB2658 State Board of Elections. Provides that the State Board will accept all electronic campaign finance filings and provide appropriate copies to general registrars and local electoral boards. The bill also provides that civil penalties and fees payable under elections law provisions will be deposited in a special fund and used to defray the State Board's expenses incurred in connection with its regulatory duties. The bill provides for certain new fees to be paid in connection with campaign finance disclosure law filings.

Patron - Brink

SB810 Elections; absentee voting. Provides that qualified voters may vote absentee in person without providing an excuse or reason for not being able to vote in person on election day. The bill retains the present statutory list of specific reasons entitling a voter to cast an absentee ballot for those persons who vote absentee by mail. This bill is identical to HB 1894.

Patron - Howell

SB819 Elections; early voting. Provides that any registered voter qualified to vote in the election may vote in person from 15 to three days before a general, primary, or special election at specified times at the office of the general registrar and at one or more additional sites if the locality so provides. Early voting will take place from the eighth to third day before a special election held on a day other than a regular election day. The bill does not affect absentee voting laws. The bill takes effect January 1, 2010.

Patron - Lucas

SB824 Presidential elections; National Popular Vote Compact. Enters Virginia into an interstate compact known as the Agreement Among the States to Elect the President by National Popular Vote. Article II of the United States Constitution gives the states exclusive and plenary authority to decide the manner of awarding their electoral votes. Under the com-

pact, Virginia agrees to award its electoral votes to the presidential ticket that receives the most popular votes in all 50 states and the District of Columbia. The compact goes into effect when states cumulatively possessing a majority of the electoral votes have joined the compact. A state may withdraw from the compact; however, a withdrawal occurring six months or less before the end of a President's term shall not become effective until a President or a Vice President has qualified to serve the next term.

Patron - Miller, Y.B.

SB826 Federal write-in absentee ballots; witness requirement. Removes the requirement that a federal write-in absentee ballot will only be considered valid for purposes of simultaneously satisfying both an absentee ballot application and a completed absentee ballot for federal offices if the envelope contains the signature of a witness and his printed name and address. The bill provides that the envelope need only contain the signature of the witness in order for the ballot to be considered valid. This bill is identical to SBs 948 and 993 and HBs 712 and 2221. This bill was incorporated into SB 993.

Patron - Cuccinelli

SB829 Registered voters; students. Provides that a person attending an accredited public or private institution of higher education physically located in the Commonwealth may choose to be registered to vote either at his address while attending the institution or an address where he is otherwise domiciled.

Patron - Smith

SB842 Campaign finance; prohibited contributions from foreign nationals. Makes it unlawful for a foreign national to make contributions or expenditures in connection with a state or local election and for any person, candidate, campaign committee, or political committee to accept a contribution from a foreign national. Violators are subject to civil penalties. Foreign national has the same meaning prescribed in 2 U.S.C. § 441e, the federal law prohibiting such contributions.

Patron - Cuccinelli

SB867 Elections; prohibited activities at the polls. Creates an exception to the prohibition on campaign activities within 40 feet of the polling place or within the polling place for the wearing by voters of buttons, stickers, or items of apparel that contain a candidate's name or a political slogan. This bill is identical to HB 1610.

Patron - Edwards

SB876 Elections; voter identification provisions. Revises in-person and absentee voting procedures to eliminate the affidavit as an alternative to providing proof of identification. Provides that a voter who does not present identification will be offered a provisional ballot. This bill was incorporated into SB 963.

Patron - Martin

SB926 Bipartisan Redistricting Commission created. Establishes a seven-member temporary commission to prepare redistricting plans in 2011 and each tenth year thereafter for the House of Delegates, state Senate, and congressional districts. Appointments to the Commission shall be made one each by the four majority and minority party leaders of the House and Senate and by the state chairmen of the two major political parties. Those six appointees shall appoint the seventh member and chairman for the Commission. If they cannot agree, they shall submit the names of the two persons receiving the most votes to the Supreme Court for the Court to select the chairman. The Commission will prepare plans and submit them as bills to the General Assembly. The General Assembly shall

then proceed to act on the bills in the usual manner. The bill provides for Commission comments on plans as they change in the legislative process. It also spells out the standards and process to be followed by the Commission in preparing plans, including limitations on the use of political data and opportunities for public comment on the plans. This bill is identical to HB 1685.

Patron - Deeds

FSB948 Federal write-in absentee ballots; witness requirement. Removes the requirement that a federal write-in absentee ballot will only be considered valid for purposes of simultaneously satisfying both an absentee ballot application and a completed absentee ballot for federal offices if the envelope contains the signature of a witness and his printed name and address. The bill provides that the envelope need only contain the signature of the witness in order for the ballot to be considered valid. This bill is identical to SBs 826 and 993 and HBs 1712 and 2221. This bill was incorporated into SB 993.

Patron - Howell

FSB963 Elections; voter identification requirements; absentee voting eligibility and procedures. Revises the list of items that a voter may show to prove identification at the polls. The bill adds to the list several items now allowed to prove the identity of first-time voters for federal elections: a copy of a current utility bill, bank statement, government check, or paycheck that shows the name and address of the voter. The bill deletes the provision that allows a voter to sign a sworn statement that he is the named registered voter he claims to be in lieu of showing identification and provides instead for the voter to vote a provisional ballot if he cannot provide a required form of identification. This bill incorporates SB 876.

Patron - Obenshain

FSB1010 Elections; absentee voting. Provides that persons age 65 and older will be entitled to vote absentee.

Patron - Miller, J.C.

FSB1038 Qualified voter; definition of "residence." Provides that, for the purpose of determining an applicant's domicile, the general registrar may request information regarding the applicant's intent, conduct, and other attendant circumstances verbally or in writing when the qualification of the applicant is in question or when the applicant provides an address that is not typically a permanent residence address or is not listed as a permanent residence by the United States Census Bureau, the United States Postal Service, or the Virginia Electronic Registration Information System. An applicant shall be presumed to be a resident of the state where he files as a resident for state income tax purposes or has claimed a homestead exemption for property tax purposes. This presumption is rebuttable. This bill was incorporated into SB 1188.

Patron - Hanger

FSB1091 Elections; assistance for certain voters; curbside voting; and persons entitled to vote absentee. Removes curbside voting as an option for persons age 65 and older and retains curbside voting for the disabled. The bill provides that all persons age 65 and older are entitled to vote absentee. This bill is identical to HB 1988.

Patron - Miller, J.C.

FSB1102 Campaign finance disclosure; where and how to file candidate reports. Requires candidates, beginning January 1, 2010, for local or constitutional offices in counties and cities with a population greater than 100,000 to file campaign finance disclosure reports electronically with the State Board of Elections. Present law gives local candidates the option to file electronically with the State Board. The bill

applies to the Counties of Fairfax, Prince William, Henrico, Chesterfield, Arlington, and Loudoun and the Cities of Virginia Beach, Norfolk, Chesapeake, Richmond, Newport News, Hampton, Alexandria, and Portsmouth.

Patron - Herring

FSB1103 Campaign finance disclosure; where and how to file candidate reports. Requires candidates for the General Assembly to file campaign finance disclosure reports electronically with the State Board of Elections beginning January 1, 2010. Present law gives General Assembly candidates the option to file electronically with the State Board or to file nonelectronic reports with the State Board and their localities.

Patron - Herring

FSB1192 Voter registration drives; payment or receipt of compensation; penalty. Provides that voter registration drives, defined as a coordinated effort by two or more individuals to provide assistance to 100 or more members of the general public in completing and submitting voter applications, must register with the State Board of Elections and fulfill the training requirements established by the State Board. The State Board shall maintain a list of all voter registration drives that have been registered and shall post this list on its website. The bill also provides that a person assisting an applicant with the completion and return of a voter registration application shall not disclose or copy the day and month of the applicant's birth, except as authorized by law. The bill also makes it a Class 1 misdemeanor to influence a person to register to vote by bribery or force and makes it a Class 1 misdemeanor to pay or receive compensation on a fee per signature basis or on a basis related to the number of signatures obtained for circulating election-related petitions or completing and submitting voter registration applications.

Patron - Puckett

FSB1230 Elections; emergencies; extension of polling hours. Provides for a court-ordered extension of polling hours in emergency situations and situations that interfere with the ability of voters to travel to the polls. The bill provides that no extension shall exceed three hours and provides for notice by any petitioner for an extension to the other potential petitioners. The potential petitioners are the Secretary of the State Board of Elections and the state chairs of the political parties.

Patron - Barker

FSB1320 Electronic reforms; State Board of Elections. Makes various amendments to Title 24.2 (Elections) that authorize the State Board of Elections to utilize various electronic systems. The bill specifies that the State Board shall (i) accept absentee voter applications and receive changes of a registered voter's name or address electronically; and (ii) conduct a pilot program permitting a participating candidate for office, other than a party nominee, to provide electronically some or all of the signatures of qualified voters required to get his name on the ballot. The bill also provides that the State Board shall provide only electronic pollbooks, and not written pollbooks, for any election held on or after July 1, 2010, or any subsequent year and makes corresponding amendments that become effective on July 1, 2010. The bill also provides that the State Board of Elections may furnish absentee voter applicant lists to candidates or political party chairmen for use only for campaign and political purposes. Such lists shall not contain any voter's social security number, or part thereof, day and month of birth, or the residence address of a voter who has provided a post office box in lieu of a residence street address.

Patron - Northam

FSB1393 Removal of public official; costs. Provides that no person who signs a petition for the removal of an offi-

cial pursuant to § 24.2-233 or who circulates such a petition (i) shall be liable for any costs associated with removal proceedings conducted pursuant to the petition, including attorney fees incurred by any other party or court costs, or (ii) shall have sanctions imposed against him pursuant to § 8.01-271.1. The court may assess such costs or impose such sanctions if it finds by clear and convincing evidence that the petitioner acted maliciously.

Patron - Norment

FSB1520 Elections; appointment and compensation for general registrars. Provides that general registrars shall serve on a full-time basis five days a week. The act is to take effect only if the 2009 general appropriation act contains an appropriation to effectuate the purposes of the act.

Patron - Reynolds

Fiduciaries Generally

Passed

FSB855 Uniform Power of Attorney Act (UPOAA). Establishes in the Code of Virginia the Uniform Act that was adopted by the National Conference of Commissioners on Uniform State Laws in 2006. The Act consists of default rules that can be modified if the principal desires. Powers of attorney will be durable unless drafted to expire upon a specified date or event. The UPOAA addresses creation and use, good faith reliance, limitations of agent's powers, refusal to recognize, judicial review, notification of resignation, and other matters. The Act contains an optional statutory form. The bill contains a reenactment clause.

Patron - Edwards

Fisheries and Habitat of the Tidal Waters

Passed

PHB1623 Marine tourism activity liability. Relieves commercial fishermen that engage in marine tourism activities from liability of the inherent risks of such activity when providing the appropriate warnings to members of the public. The inherent risks include hazards such as surface and subsurface conditions; natural conditions of water; natural behaviors and dangers of varied marine products; and ordinary dangers of boats, structures, or equipment ordinarily used in commercial fishing operations.

Patron - Lewis

PHB1719 Fees for hunting and fishing licenses. Clarifies the current authority of the Virginia Marine Resources Commission and the Board of the Department of Game and Inland Fisheries to increase certain fees for hunting, fishing, and trapping licenses. Beginning in 2004, each was given the authority to revise certain fees, through regulation, no more frequently than once every three years and by no more than \$5 for each adjustment. This legislation clarifies the current cost of licenses by noting that the fees may have changed in the sections where the General Assembly had previously provided the actual cost of a license.

Patron - Cox

PHB2213 Easement in Baylor Grounds. Removes the Marine Resources authority to grant a 100 foot wide easement to Virginia Natural Gas across a portion of Baylor Survey Ground No. 3, for a natural gas pipeline.

Patron - Jones

PHB2223 Recreational saltwater licenses. Authorizes the Marine Resources Commission to charge nonresidents a higher fee to purchase various saltwater recreational fishing licenses than the amount paid by residents. The fee charged to nonresidents would be no greater than twice the Virginia resident fee. The bill also authorizes the Commission to prohibit the sale of a private boat recreational fishing license to a non-resident whose boat is not registered in Virginia.

Patron - Lewis

PHB2248 Marine Resources Commission location. Removes the requirement that the Commissioner of the Marine Resources Commission establish and equip a permanent office in the City of Newport News and more broadly requires that the office is located on the Virginia Peninsula.

Patron - Barlow

PHB2256 Fixed fishing devices. Requires the Marine Resources Commission to adopt regulations that set the distance between any net and the side or end of any fixed fishing device. Currently, the distance is established by statute.

Patron - Pollard

PHB2507 Refunds for saltwater fishing licenses. Requires the Marine Resources Commission to refund fees for saltwater fishing licenses on a prorated basis if the Commission stops selling the license due to fishery management purposes.

Patron - Pollard

PHB2586 Standards for use of coastal primary sand dunes; exemption. Authorizes the Virginia Beach Wetlands Board to determine which structures or properties are in imminent danger from erosion or storm damage. If such structures or properties are found to be in imminent danger, the property owners will be able to erect or maintain protective bulkheads of a type, size and configuration approved by the Board.

Patron - Knight

PSB1111 Crab season in specific area. Authorizes the Marine Resources Commission to establish periods of time when crabs may be caught for resale in a specific location in the Chesapeake Bay. Currently it is unlawful to take or catch crabs for resale in this area from June 1 through September 15.

Patron - Northam

PSB1350 Marine Resources Commission; offshore renewable resources. Provides the Marine Resources Commission with the authority to lease subaqueous lands for the purpose of generating electrical energy from wave or tidal action, currents, offshore winds, or thermal or salinity gradients and transmit energy from such sources to shore and requires that any leases require a royalty. All royalties collected will be appropriated to the Virginia Coastal Energy Research Consortium. The Marine Resources Commission is also directed to (i) identify 100 acres suitable for use by the Virginia Coastal Energy Research Consortium as a research site, and (ii) determine whether sufficient and appropriate subaqueous lands exist to support a commercial offshore wind farm and, if such land exists, offer it for development in a lease auction.

Patron - Wagner

PSB1479 Conveyance; Virginia Marine Resources Commission. Authorizes the Virginia Marine Resources Commission to grant easements and rights-of-way across the beds of the Elizabeth River to the Department of Transportation for the improvement of the Midtown Tunnel. The conveyance includes a portion of the Baylor Survey.

Patron - Miller, Y.B.

Failed

EHB1855 Conveyance of subaqueous lands. Asserts that the conveyance of certain property now located in the City of Alexandria, Virginia, by Thomas Lord Fairfax, Baron of Cameron, on April 15, 1765, to John West, Jr., shall be deemed a valid and proper conveyance by the Commonwealth of any rights, title, and interest as the Commonwealth may have had in such property.

Patron - Shannon

EHB2412 Conveyance of subaqueous lands. Authorizes the Marine Resources Commission to sell and convey certain parcels of subaqueous land to the City of Virginia Beach on behalf of the Commonwealth pursuant to § 28.2-1200.1 of the Code of Virginia.

Patron - Bouchard

FSB1086 Nonresident harvester's license. Increases the fee for nonresident commercial harvester's licenses required by the Marine Resources Commission (MRC) for those fishing in tidal waters and by the Department of Game and Inland Fisheries for those fishing in Back Bay to \$850. The formula for allocating the proceeds of the license sales by MRC between funds is changed from the current procedure.

Patron - Miller, J.C.

FSB1087 Marine Resources Commission. Increases the membership of the Marine Resources Commission from nine to eleven members and requires that three of the members shall have, at the time of their appointment, earned their livelihood as a commercial fisherman on Virginia's waters for at least five years. An effort shall be made to include representation of diverse fisheries by the appointments of commercial fishermen to the Commission.

Patron - Miller, J.C.

Game, Inland Fisheries and Boating

Passed

PHB1609 Foxhound training preserve; nonresident license. Establishes a license for nonresidents to hunt in foxhound training preserves for \$12. The new provision parallels the existing license requirement for nonresidents to hunt in shooting preserves.

Patron - Wright

PHB1618 Special hunting permit. Allows the Director of the Department of Game and Inland Fisheries to permit any organized group of patients residing in or receiving outpatient treatment from a veterans or military hospital to hunt without having to obtain a license on any lands of the Commonwealth where it is otherwise legal to do so. Currently, the Director may only issue a special permit to allow such a group of persons to

fish without a license in the public waters of the Commonwealth. This bill incorporates HB 1666.

Patron - Merricks

PHB1716 Impeding killing of bear or deer. Makes it a Class 3 misdemeanor to willfully and intentionally impede someone who has obtained a kill permit from killing a bear or deer that is damaging the owner's property. The language is similar to the current language used to prohibit the harassment of hunters and trappers.

Patron - Cox

PHB1847 Wearing blaze orange. Exempts persons from wearing blaze orange clothing when hunting doves.

Patron - Lingamfelter

PHB1901 Property conveyance. Authorizes the Board of Game and Inland Fisheries to convey approximately seven acres within the Cavalier Wildlife Management Area to Beaverdam Properties.

Patron - Knight

PHB2281 Wildlife Violator Compact. Authorizes the Board of Game and Inland Fisheries to enter the interstate Wildlife Violator Compact and to adopt regulations necessary to implement the Compact. The bill also sets out the Wildlife Violator Compact in Title 29.1, Game, Inland Fisheries and Boating, of the Code of Virginia.

Patron - Bowling

PHB2636 Special hunting and fishing license for youth groups. Authorizes the issuance of a special group hunting and fishing license to a nonprofit wildlife education organization that takes youth on hunting and fishing excursions as part of its effort to educate young people on Virginia's wildlife. The permit would cost \$25 and be valid for 48 hours. This permit would be in lieu of the youth having to purchase basic hunting and fishing licenses and the big game, archery, and muzzleloader licenses.

Patron - Cline

PSB1515 Kill permit for wildlife. Authorizes the issuance of a kill permit to shoot any wildlife to an airport operator, if the Director of the Department of Game and Inland Fisheries finds wildlife is creating a hazard. Currently, the operator of an airport can be issued such a permit to kill only deer under this standard.

Patron - Stolle

Failed

PHB1666 Special hunting permit. Allows the Director of the Department of Game and Inland Fisheries to permit any organized group of patients residing in or receiving outpatient treatment from a veterans or military hospital to hunt without having to obtain a license on any lands of the Commonwealth where it is otherwise legal to do so. Currently, the Director may only issue a special permit to allow such a group of persons to fish without a license in the public waters of the Commonwealth. This bill is incorporated into HB 1618.

Patron - Cole

PHB1950 Free hunting license. Authorizes the Department of Game and Inland Fisheries to issue a state resident basic hunting license at no cost to residents who are on active military service.

Patron - Shuler

HB2102 Department of Game and Inland Fisheries; Pittsylvania County. Requires the Board of the Department of Game and Inland Fisheries to adopt regulations to ensure that deer hunting seasons that apply to Pittsylvania County do so uniformly to the county as a whole and not in part.

Patron - Merricks

HB2190 Special lifetime archery and muzzleloading license. Establishes a special lifetime license for disabled residents who want to hunt during special archery and special muzzleloading seasons. The cost of the license is \$10.

Patron - Phillips

HB2242 Accident reports by watercraft passengers. Provides that in any case in which the operator of a vessel fails to give the notice or make the report of an accident as required by § 29.1-739, every person 16 years of age or older in the vessel with the operator at the time of any accident in which a person is injured or killed, who has knowledge of the accident, shall have a duty to ensure that a report is made within 24 hours from the time of the accident to a law-enforcement officer of the Commonwealth, conservation police officer, or Marine Resources Commission inspector. Any person who has such a duty and fails to file the report as required herein is guilty of a Class 1 misdemeanor.

Patron - Barlow

HB2282 Hunting deer with rifles. Allows .223 and .22-250 caliber rifles to be used for hunting deer.

Patron - Bowling

HB2484 Duty of care. Expands to owners of privately owned airports, heliports, and landing areas that would be used to operate aircraft or ultralight vehicles an exemption from the duty of care provision if the landowner does not charge a fee to use his property. Under the bill owners of such airports, flying fields, or heliports would not assume responsibility for or incur liability for certain negligent acts.

Patron - Hargrove

SB820 Local motorboat registration fee. Authorizes a county, city, or town to impose a local motorboat registration fee on motorboats subject to the locality's tangible personal property tax. Each registration would be for a period of 36 months. For purposes of the fee, the bill also would create separate classifications for motorboats weighing less than five tons and motorboats weighing five tons or more.

Patron - Locke

SB880 Department of Game and Inland Fisheries; disclosure of official records; exceptions. Provides that records of the Department shall be subject to the disclosure provisions of the Freedom of Information Act, except that personal information, as defined in § 2.2-3801, of individual applicants for or holders of any hunting, fishing, boating, or trapping license issued by an agent of the Department shall be withheld from public disclosure, provided that such individuals have requested that the Department not disclose such information. However, statistical summaries, abstracts, or other records containing information in an aggregate form that does not identify individual applicants or licensees shall be disclosed. The bill provides, however, that such information may be released (i) in accordance with a proper judicial order, (ii) to any law-enforcement agency, officer, or authorized agent thereof acting in the performance of official law-enforcement duties, or (iii) to any person who is the subject of the record.

Patron - Stuart

General Assembly

Passed

HB1720 Virginia War of 1812 Bicentennial Commission. Amends the second enactments of Chapter 409 and Chapter 740 of the Acts of Assembly of 2008 to extend the time that the Commission may be funded upon the approval of the Joint Rules Committee, and provides that if the Commission is not funded by a separate appropriation in the appropriation act for the 2012-2014 biennium, the Commission will sunset on July 1 of the fiscal year that it does not receive funding. This bill is a recommendation of the Virginia War of 1812 Bicentennial Commission.

Patron - Cox

HB1893 Brown v. Board of Education Scholarship Program. Provides that scholarships awarded through the Brown v. Board of Education Scholarship Program may be used to cover the costs of required academic fees, in addition to tuition and textbooks already provided by state law, and graduate study at the masters and doctoral levels, as determined by the Awards Committee. This bill also clarifies the Awards Committee's authority to establish policies, standards, and rules to govern the Program, thereby strengthening its accountability for and authority to administer and oversee the Program. This bill is a recommendation of the Brown v. Board of Education Scholarship Awards Committee.

Patron - Dance

SB980 Manufacturing Development Commission; sunset date. Repeals the July 1, 2009, sunset date for the Manufacturing Development Commission. The bill would not affect a provision in the legislation that created the Commission that provides that the Commission will expire on July 1 of any fiscal year for which the Commission has not been funded through a separate appropriation in the Appropriation Act.

Patron - Wagner

SB981 Manufacturing Development Commission. Increases the size of the Commission to 14 members by adding a representative of Norfolk State University or Virginia State University as a member of the Commission.

Patron - Wagner

SB1060 Joint Commission on Health Care. Extends the expiration of the Joint Commission on Health Care until July 1, 2012.

Patron - Puller

SB1453 Commission on Civics Education. Moves the Commission on Civics Education to the legislative branch and gives the Commission fund-raising authority. Also provides for the appointment of eight nonlegislative citizen members by the Joint Rules Committee.

Patron - Petersen

Failed

HB1635 General Assembly Conflicts of Interests Act; special reports for gifts made to legislators during a session. Prohibits any member of the General Assembly from receiving a gift as defined in § 30-111 during a regular, special, or reconvened session. This bill also has an emergency clause.

Patron - Saxman

HB1641 Efficiency in Government Advisory Councils. Establishes an Efficiency in Government Advisory Council for each secretariat of state government to review the operations of the agencies within the assigned secretariat for the purposes of identifying efficiencies and determining specific operational areas where savings may be realized. Under the bill, all recommendations that result in identifiable monetary savings among agencies within the assigned secretariat shall be presented to the Governor and General Assembly no later than November 30 of each year. Savings resulting from implementation of the recommendations will accrue to the general fund. This bill was incorporated into HB 2463.

Patron - Marshall, R.G.

HB1730 Tax legislation; sunset date. Requires a sunset date of no more than four years on all bills that add or increase a state or local tax, prior to reporting of the bill by a committee of the General Assembly. However, after passage, such bills will not expire on the sunset date if at that time the tax is dedicated to pay outstanding bonds. Rather such bills will expire the date they are no longer dedicated to outstanding bonds.

Patron - Cole

HB1738 Conflicts of interests; "revolving door" prohibitions. Expands the period during which a former legislator or certain former state and local government officers and employees may not lobby from one to two years. The bill also expands coverage for former General Assembly members to include state executive branch and local government agencies as well as legislative branch agencies and for former state and local government officers and employees to include state executive and legislative branch agencies and local government agencies. These prohibitions apply only to persons who engage in activities that require registration as a lobbyist.

Patron - Purkey

HB1848 Performance audit of transportation. Provides for the Auditor of Public Accounts to administer an operational and programmatic performance audit focusing on the agencies within the Transportation Secretariat. The audit will be conducted by a private management consulting firm with a final report to be completed by December 31, 2009. The goal of the audit is to determine an objective and independent cost savings assessment of the Commonwealth's organizational structure and efficiency of the Commonwealth's transportation programs to provide information to the Governor and the General Assembly on ways to reduce duplication of effort and implement cost savings measures and programmatic efficiencies in the operation of state transportation programs. Any monetary savings realized from implementation of recommendations of the performance audit will be applied to the Highway Maintenance and Operating Fund. The costs of conducting the audit will be paid from existing appropriations to agencies within the Transportation Secretariat and are not to exceed \$4 million.

Patron - Lingamfelter

HB1922 Commission on Civics Education. Moves the Commission on Civics Education from the executive to the legislative branch. Also, allows the Commission to seek other public and private sources of funding.

Patron - Tata

HB1952 Joint Commission on Health Care. Extends the Joint Commission on Health Care until July 1, 2012.

Patron - O'Bannon

HB2207 Virginia Budget Office. Establishes the Virginia Budget Office in the legislative branch of state government. The Office will have the power and duty to (i) prepare fiscal impact statements on legislation, (ii) investigate the operating efficiencies of state agencies, (iii) explore opportunities to privatize, outsource, consolidate, and reorganize various governmental functions to operate more efficiently, (iv) examine policies and strategies that can be instituted to streamline government programs, (v) undertake any research and analysis that would provide credible, lower cost alternatives to existing or proposed budget programs, (vi) provide revenue and growth forecasts to the House Appropriations Committee, the Senate Finance Committee and the General Assembly, and (vii) analyze policy proposals offered in other states or elsewhere that have been offered or implemented.

Patron - Frederick

HB2463 Government Efficiency Review Commission. Establishes the Government Efficiency Review Commission to review agencies on an eight-year cycle and advise the General Assembly on the elimination of waste, duplication, and inefficiency on the part of such agencies. The bill also repeals the Legislative Program Review and Evaluation Act (§ 30-64 et seq.) and makes some technical amendments. This bill incorporates HBs 1641 and 2617.

Patron - O'Bannon

HHR42 House of Delegates. Amends Rule 18(a) and Rule 18(c) of the Rules of the House of Delegates relating to discussion and public comment on bills in committees and subcommittees.

Patron - Marsden

HHR43 House of Delegates. Amends Rule 18(a) and Rule 18(c) of the Rules of the House of Delegates relating to public comment on bills in committees and subcommittees.

Patron - Marsden

SB934 General Assembly; consideration of certain documents related to the Budget. Provides that no legislative action may be taken on (i) committee amendments to the budget, (ii) any conference committee report on the budget, and (iii) any Governor's recommendations on the budget until each has been posted on the General Assembly's website for at least 72 hours. Under the bill each house may vote by two-thirds majority to override the posting requirement.

Patron - Smith

SB1272 Tax and fee legislation; sunset dates. Requires a sunset date on all bills that add new taxes or fees or increase the rate of existing taxes or fees. The sunset dates would be required for both state and local tax or fee bills.

Patron - Vogel

SB1364 Commission on Civics Education. Moves the Commission on Civics Education from the executive to the legislative branch. Also, allows the Commission to seek other public and private sources of funding.

Patron - Reynolds

SB1401 General Assembly; Budget Bill(s). Requires the Chairman of the House Appropriations Committee and the Chairman of the Senate Finance Committee to issue reports concurrently with the budget conference report that specifically identify (i) any nonstate appropriation, (ii) any item in the conference report that was not included in the Budget Bill(s) as passed by either the House or the Senate, and (iii) any item that

represents a piece of legislation that failed during that session in either house.

Patron - Norment

FSB1403 General Assembly; compensation during regular session extension. Specifies that members of the General Assembly receive neither per diem allowance nor mileage reimbursement if the session is extended past the date scheduled for adjournment sine die.

Patron - Norment

FSB1425 Conflict of interests; establishment of disclosure database. Provides that the information contained in the disclosure of personal interests statements filed by the Governor, the Lieutenant Governor, the Attorney General, the Governor's Secretaries, and members and members-elect of the General Assembly and candidates for such offices be entered into a searchable electronic database that is available to the public through the Internet. The Clerk of the Senate and the Clerk of the House are responsible for establishing and maintaining the database for the members and members-elect of the appropriate house and the Secretary of the Commonwealth is responsible for establishing and maintaining the database for the other officials.

Patron - Deeds

FSJ296 Establishing a joint committee on revenue estimates. Establishes a joint committee in the legislative branch to oversee preparation of revenue estimates for the General Assembly.

Patron - McDougle

General Provisions of Virginia Code

Passed

PHB2278 Official emblems and designations; Coal Miners' Memorial. Designates the Richlands Coal Miners' Memorial located in Tazewell County as the official Coal Miners' Memorial of the Commonwealth.

Patron - Bowling

PHB2671 Official designations; Cabin Capital of Virginia. Designates Page County as the Cabin Capital of Virginia.

Patron - Gilbert

Failed

PHB1916 State song. Designates "Ol' Virginia," by Daniel K. Lawson, as the official state song.

Patron - Crockett-Stark

PHB2134 Official emblems and designations; state song. Designates "Virginia, Birth Place of Our Nation," written by Lorraine Neill and Lynn Czarny, as the state song.

Patron - Miller, J.H.

PHB2284 State song. Designates "Cradle of Liberty," by Thomas L. DeBusk, as the official state song.

Patron - Bowling

PHB2554 Official emblems and designations; state song. Designates "The Banner Yet Wave" written by Frank Pugh as the State Song.

Patron - Crockett-Stark

PHB1310 Altavista Armory. Authorizes the Governor to convey the Altavista Armory within Campbell County and the Town of Altavista to the Town of Altavista.

Patron - Hurt

PHB1504 Official emblems and designations; state reptile. Designates the Eastern Box Turtle as the state reptile.

Patron - Petersen

Health

Passed

PHB1598 Certificate of public need; criteria for determining need and method of filing. Replaces existing criteria for determining need for the purposes of a Certificate of Public Need; establishes an expedited application and review process for certificates for projects involving a capital expenditure of \$15 million or more that are not otherwise defined as reviewable in the definition of "project"; and establishes a Request for Applications procedure for psychiatric and substance abuse treatment beds and services. This bill establishes a review process in cases in which no regional health planning agency is designated. This bill also provides that in cases in which a provision of the State Medical Facilities Plan has been previously set aside by the Commissioner and final amendments to the plan have not yet taken effect, the Commissioner's decision shall be consistent with the guiding principals set forth in the plan; establishes a process for satisfying conditions on a certificate by making direct payments to an organization authorized under a memorandum of understanding with the Department of Health to receive contributions to satisfy conditions on a certificate, or to a private nonprofit foundation authorized under a memorandum of understanding with the Department of Health that funds basic insurance coverage for indigents; requires that any medical care facility that furnishes, conducts, operates, or offers any service which requires a certificate of public need to report data on utilization of certain services; and replaces the term "gamma knife surgery" with the term stereotactic radiosurgery, and adds stereotactic radiotherapy and proton beam therapy to radiation therapy in the list of specialized services provided by medical care facilities subject to COPN. This bill incorporates HB 1981 and HB 2451.

Patron - Hamilton

PHB1605 Certificate of public need; authorization of certain amendment. Authorizes the Commissioner of Health to accept and approve a request to amend the conditions of a certificate of need issued for an increase in beds in which nursing facility or extended care services are provided to allow such facility to continue to admit persons, other than residents of the cooperative units, to its nursing facility beds through June 30, 2012 when such facility (i) is operated by an association described in § 55-458; (ii) was created in connection with a real estate cooperative; (iii) offers its residents a level of nursing services consistent with the definition of continuing care in Chapter 49 (§ 38.2-4900 et seq.) of Title 38.2; and (iv) was issued a certificate of need prior to October 3, 1995.

Patron - Purkey

HB1681 Construction of wells. Requires a site plan, but not a survey plat, to be included in an application for a permit to construct a private well. Also clarifies that it is the landowner's responsibility to ensure that the well is located on his property.

Patron - Lewis

HB1768 Certificate of public need; Department of Corrections exempt. Exempts facilities of the Department of Corrections from the definition of "medical care facility" for purposes of the certificate of public need process.

Patron - Dance

HB2141 Infectious disease; deemed consent for testing. Requires that if any salaried or volunteer firefighter, paramedic, or emergency medical technician becomes exposed to another's body fluids in a manner that may transmit HIV or hepatitis, the other person will be deemed to have consented to testing for those viruses. The bill also removes the duty of a law-enforcement officer to inform a person of his deemed consent prior to exposure to his body fluids.

Patron - Miller, J.H.

HB2148 Onsite treatment works designs. Provides that designs for treatment works submitted to the Department of Health by professional engineers shall be appropriate for the particular soil characteristics of the site.

Patron - Nutter

HB2188 Onsite treatment works. Provides that the Board of Health shall establish procedures for requiring a survey plat with any application for a permit or letter for an onsite sewage or alternative discharging sewage system, and procedures for waiving such requirement.

Patron - Phillips

HB2200 Breast and Cervical Cancer Prevention and Treatment Fund; established. Establishes the Breast and Cervical Cancer Prevention and Treatment Fund (the Fund) to be used for the prevention and treatment of breast and cervical cancer for underserved and uninsured women in Virginia. The bill adds the Fund as a voluntary contribution on the individual income tax return. The bill specifies that moneys in the Fund shall not be used until such time as the General Assembly authorizes the Virginia Department of Health and the Virginia Department of Medical Assistance Services to increase access to services consistent with "Option 3" of the National Breast and Cervical Cancer Early Detection Program. This bill is identical to SB 1144.

Patron - Vanderhuy

HB2270 Private residential wells; minimum storage capacity and yield requirements. Requires the Board of Health to include in its regulations minimum storage capacity and yield requirements for residential drinking wells, and requires that the certified water well systems provider shall certify the storage capacity and yield of the well on a form provided by the Department of Health at the time the well is completed.

Patron - Poindexter

HB2447 Influenza; vaccination of minors. Requires the Board of Health, by August 31, 2009, to develop and issue guidelines for administration of influenza vaccine to minors by licensed pharmacists, registered nurses, or licensed practical nurses, with the consent of the minor's parent, guardian, or person standing in loco parentis and when consistent with guidelines developed by the Centers for Disease Control and Prevention. This bill also provides that a prescriber may autho-

alize the administration of influenza vaccine to minors by a licensed pharmacist, registered nurse, or licensed practical nurse under the direction and immediate supervision of a registered nurse when the prescriber is not physically present.

Patron - Sickles

HB2449 Exposure to communicable diseases; first responders. Requires that if any salaried or volunteer firefighter, paramedic, or emergency medical technician becomes exposed to another's body fluids in a manner that may transmit HIV or hepatitis, the other person will be deemed to have consented to testing for those viruses. This bill removes the duty of a law-enforcement officer to inform a person of his deemed consent prior to exposure to his bodily fluids. Also, when a first responder is asked to transport someone with a communicable disease, this bill removes the transferring facility's discretion in deciding if the responder must be notified as to the general condition of the patient and any precautions to be taken, and instead always requires such notice. This bill is identical to SB 1107.

Patron - Sickles

HB2456 Virginia Tobacco Settlement Foundation; name change. Changes the name of the Virginia Tobacco Settlement Foundation to the Virginia Foundation for Healthy Youth and allows for moneys from the Virginia Tobacco Settlement Fund that are obtained primarily from public grants and private funding sources to be used to reduce childhood obesity in the Commonwealth. This bill is identical to SB 1112.

Patron - O'Bannon

HB2458 Posting of charity care policies. Requires all hospitals to provide written information about the hospital's charity care policies, including policies related to free and discounted care, in public areas of the hospital including admissions or registration areas, emergency departments, and associated waiting rooms. The bill further provides that information about eligibility criteria and procedures for applying for charity care shall be provided to patients at the time of admission or discharge, at the time services are provided, with any billing statements, and on any website maintained by the hospital.

Patron - O'Bannon

HB2462 Patient level data system; reporting requirement. Adds patient street address and city or county to and removes patient relationship to insured from the list of information that must be reported by hospitals, facilities, physicians, and oral and maxillofacial surgeons.

Patron - O'Bannon

HB2551 Onsite treatment works; designs by engineers. Provides that onsite treatment works designs submitted by professional engineers to the Department of Health shall ensure that the treatment works will meet or exceed the discharge, effluent, and surface and ground water quality standards for systems otherwise permitted pursuant to regulations and policies of the Department of Health. This bill is identical to SB 1468.

Patron - Orrock

HB2674 Plan to eliminate the Mental Retardation and IFDDS waiver waiting lists. Requires the Governor and the General Assembly to develop and implement a plan to provide funding to the Department of Medical Assistance Services to eliminate waiting lists for the Mental Retardation Waiver and the Individual and Family Developmental Disabilities Support Waiver. This bill is identical to SB 1501.

Patron - Cox

SB927 Death certificates; disclosure to grandchildren and great-grandchildren. Requires the State Registrar or the city or county registrar to issue a certified copy of a death certificate to the grandchild or great-grandchild of a decedent in accordance with procedures prescribed by the Board of Health in regulation.

Patron - Cuccinelli

SB949 Organ donation; Virginia Donor Registry and Public Awareness Fund. Changes the name of the Virginia Transplant Council Education Fund to the Virginia Donor Registry and Public Awareness Fund, and requires the Department of Motor Vehicles to establish a procedure for driver's license applicants to voluntarily contribute to the Fund. Also makes technical corrections to make certain sections consistent with the Revised Uniform Anatomical Gift Act.

Patron - Howell

SB1107 Exposure to communicable diseases; first responders. Requires that if any salaried or volunteer firefighter, paramedic, or emergency medical technician becomes exposed to another's body fluids in a manner that may transmit HIV or hepatitis, the other person will be deemed to have consented to testing for those viruses. This bill removes the duty of a law-enforcement officer to inform a person of his deemed consent prior to exposure to his bodily fluids. Also, when a first responder is asked to transport someone with a communicable disease, this bill removes the transferring facility's discretion in deciding if the responder must be notified as to the general condition of the patient and any precautions to be taken, and instead always requires such notice. This bill incorporates SB 1034 and SB 1152. This bill is identical to HB 2449.

Patron - Northam

SB1112 Virginia Tobacco Settlement Foundation; name change. Changes the name of the Virginia Tobacco Settlement Foundation to the Virginia Foundation for Healthy Youth and allows for moneys from the Virginia Tobacco Settlement Fund that are obtained primarily from public grants and private funding sources to be used to reduce childhood obesity in the Commonwealth. This bill is identical to HB 2456.

Patron - Northam

SB1128 Construction of wells; geothermal heating systems. Requires the Board of Health to develop regulations for the issuance of an express geothermal permit allowing the construction of wells used solely for closed loop geothermal heating systems. Such regulations shall include a provision that a single application and a single fee shall be required for any geothermal well system, and that the fee shall be equal to the fee for a single private well.

Patron - Petersen

SB1144 Breast and Cervical Cancer Prevention and Treatment Fund; established. Establishes the Breast and Cervical Cancer Prevention and Treatment Fund (the Fund) to be used for the prevention and treatment of breast and cervical cancer for underserved and uninsured women in Virginia. The bill adds the Fund as a voluntary contribution on the individual income tax return. The bill specifies that moneys in the Fund shall not be used until such time as the General Assembly authorizes the Virginia Department of Health and the Virginia Department of Medical Assistance Services to increase access to services consistent with "Option 3" of the National Breast and Cervical Cancer Early Detection Program. This bill is identical to HB 2200.

Patron - Whipple

SB1162 Certificate of public need; plan of correction for failure to meet conditions. Provides that, when a certificate of public need is subject to conditions imposed by the Commissioner, and the certificate holder is unable to or fails to satisfy the conditions of the certificate, the Department may approve alternative methods to satisfy the conditions, including allowing the holder to, pursuant to a plan of compliance that identifies a timeframe for satisfying the conditions and explanation of how the certificate holder will satisfy the conditions of the certificate, (i) make direct payments to an organization authorized under a memorandum of understanding with the Department to receive contributions satisfying the conditions of a certificate, (ii) make direct payments to a private nonprofit foundation that funds basic insurance coverage for indigents authorized under a memorandum of understanding with the Department to receive contributions satisfying conditions of a certificate, or (iii) undertake other initiatives to provide primary or specialized care to underserved populations.

Patron - Watkins

SB1236 Board of Health; membership. Adds two members to the Board of Health. This bill provides that one new member shall be a person who has public environmental health expertise and one new member shall be a representative of the emergency medical services community recommended by the State Emergency Medical Services Advisory Board.

Patron - Barker

SB1448 Virginia Indigent Health Care Trust Fund; repeal. Repeals the Virginia Indigent Health Care Trust Fund.

Patron - Watkins

SB1468 Department of Health; onsite treatment works; designs by engineers. Requires the Department of Health to ensure that onsite treatment works designs by professional engineers meet or exceed the discharge standards for systems otherwise permitted pursuant to the Department's regulations and policies. This bill also requires the Board of Health to adopt, within 280 days, regulations establishing performance requirements and horizontal setbacks necessary to protect public health and the environment for alternative systems, and provides that such regulations shall include a requirement for comment period of at least 30 days, and shall contain operation and maintenance requirements consistent with the requirements for alternative onsite sewage systems.

Patron - Quayle

SB1501 Medicaid; eliminate MR and IFDDS Waiver waiting lists. Expresses the intent of the General Assembly to eliminate the waiting lists for the Mental Retardation Medicaid Waiver and the Individual and Family Developmental Disabilities and Support Medicaid Waiver. Beginning July 1, 2010, and each year thereafter, the Department of Medical Assistance Services shall add at least 400 funded slots for MR Waivers, and at least 67 funded slots for IFDDS Waivers, until the waiting lists for both have been eliminated. This bill is identical to HB 2674.

Patron - Barker

Failed

HB1692 Virginia Indoor Clean Air Act; penalty. Moves the regulation of smoking in restaurants from Title 15.2 to a new chapter in Title 32.1. This bill prohibits smoking in all indoor restaurants and bar and lounge areas in the Commonwealth. Requires the posting of "No Smoking" signs and provides for a \$25 civil penalty for a violation of these provisions. Incorporated in HB 1703.

Patron - Englin

HB1704 Virginia Smoke Free Air Act; smoking in public places; civil penalties. Moves the law restricting smoking in buildings and other enclosed areas from the title relating to local government (15.2) to the title relating to health (32.1) and prohibits smoking indoors in most buildings or enclosed areas frequented by the public. Exceptions are provided for (i) private homes, private residences, and private automobiles, and home-based businesses, unless used in conjunction with a licensed child care, adult day care, or health care facility; (ii) private clubs, except when being used for functions attended by persons other than members and invited guests; (iii) hotel or motel rooms designated as smoking rooms that are offered for rent to the public; (iv) specialty tobacco stores; (v) tobacco manufacturers; and (vi) private and semiprivate rooms in nursing homes and long-term care facilities. The bill requires the posting of "No Smoking" signs inside and at the entrances of areas where smoking is prohibited. Any person who continues to smoke in an area in which smoking is prohibited will be subject to a civil penalty of not more than \$100 for the first offense, and \$250 for subsequent offenses. Failure to comply with the smoking restrictions will subject proprietors to a \$200 civil penalty for the first offense and \$500 for subsequent offenses. Incorporated into HB 1703.

Patron - Howell, A.T.

HB1853 Plan to eliminate the Mental Retardation and IFDDS waiver waiting lists. Requires the Governor to develop and implement a plan to eliminate waiting lists for the Mental Retardation Waiver and the Individual and Family Developmental Disabilities Support Waiver.

Patron - Cox

HB1981 Certificate of public need; plan of correction for failure to meet conditions. Provides that, when a certificate of public need is subject to conditions imposed by the Commissioner, and the certificate holder fails to satisfy the conditions of the certificate, the certificate holder shall file a plan of correction with the Department of Health, which shall identify how the certificate holder shall satisfy the condition of the certificate, and shall provide a time frame for satisfaction of the conditions, for approval. This bill further provides that a certificate holder may satisfy conditions by (i) making direct payments to an organization authorized under a memorandum of understanding with the department to receive contributions satisfying the conditions of a certificate, or (ii) making direct payments to a private nonprofit foundation that funds basic insurance coverage for indigents authorized under a memorandum of understanding with the Department to receive contributions satisfying conditions of a certificate. The certificate holder shall provide documentation to the Department demonstrating that the conditions of the certificate have been satisfied as set forth in the approved plan of correction. This bill was incorporated into HB1598.

Patron - McClellan

HB2067 Virginia Smoke Free Air Act; smoking in public places; civil penalties. Moves the law restricting smoking in buildings and other enclosed areas from the title relating to local government (15.2) to the title relating to health (32.1) and prohibits smoking indoors in most buildings or enclosed areas frequented by the public. Exceptions are provided for (i) private homes, private residences, private automobiles, and home-based businesses, unless used in conjunction with a licensed child care, adult day care, or health care facility; (ii) private clubs, except when being used for functions attended by persons other than members and invited guests; (iii) hotel or motel rooms designated as smoking rooms that are offered for rent to the public; (iv) specialty tobacco stores; (v) tobacco manufacturers; and (vi) private and semiprivate rooms in nurs-

ing homes and long-term care facilities. The bill requires the posting of "No Smoking" signs inside and at the entrances of areas where smoking is prohibited. Any person who continues to smoke in an area in which smoking is prohibited will be subject to a civil penalty of not more than \$100 for the first offense and \$250 for subsequent offenses. Failure to comply with the smoking restrictions will subject proprietors to a \$200 civil penalty for the first offense and \$500 for subsequent offenses. Incorporated in HB 1703.

Patron - Hamilton

HB2142 Statewide Healthcare Workforce Authority; creation. Creates the Statewide Healthcare Workforce Authority to take over the duties of the Statewide Area Health Education Centers Program. The mission of the Authority is to: (i) develop health careers recruitment programs for Virginia's students, especially underrepresented and disadvantaged students; (ii) support the community-based training of primary care health professions students, residents, and other health professions students in Virginia's underserved communities; (iii) provide educational and practice support systems for the Commonwealth's primary care providers; (iv) support recruitment and retention efforts of primary care, mental health, and dental professionals for underserved areas of the Commonwealth; and (v) collaborate with health, education, public health, and human services organizations to facilitate and promote improved health education and disease prevention among the citizens of the Commonwealth.

Patron - Nutter

HB2193 Nursing homes; report direct care service hours. Requires the Board of Health to promulgate regulations requiring nursing homes to report quarterly to the Department of Health the average number of direct care service hours provided by certified nursing assistants, licensed practical nurses, licensed vocational nurses, and registered nurses to each resident, based on payroll information reported to the Internal Revenue Service for positions that, in whole or in part, provide direct care services, beginning January 1, 2010. This bill also requires that such regulations define direct care services, establish procedures for quarterly reporting, and establish procedures for making information reported available to the public.

Patron - Watts

HB2395 Reporting of pressure sores. Requires nursing homes, certified nursing facilities, and assisted living facilities to report data on the occurrence of pressure sores among patients or residents.

Patron - Bell

HB2451 Certificate of Public Need; applications for increase in psychiatric or substance abuse treatment beds or services in response to Request for Applications only. Provides that applications for a certificate of public need for an increase in psychiatric or substance abuse treatment beds or services shall be approved, authorized, or accepted in response to a Request for Applications only. This bill was incorporated into HB1598.

Patron - Sickles

HB2483 Virginia Indoor Clean Air Act; presence of minors; penalty. Moves the regulation of smoking in restaurants from Title 15.2 to a new chapter in Title 32.1. This bill prohibits the presence of minors in all indoor restaurants and bar and lounge areas in the Commonwealth that allow smoking. Requires the posting of "Minors Allowed" signs where smoking is allowed and provides for a \$100 civil penalty for a first violation of these provisions, and \$250 for any subsequent violation. Incorporated into HB 1703.

Patron - Eisenberg

HB2625 Emergency medical services provider; procedure upon receipt of complaint. Provides that, upon receipt of a complaint regarding an emergency medical services provider, the Commissioner of Health shall provide a copy of the complaint to the provider who is the subject of the complaint and shall inform the emergency medical services provider who is the subject of the complaint of the complaint investigation procedure, the hearing process set forth in the Administrative Process Act, and of the emergency medical services provider's right to be represented by counsel. This bill further provides that no emergency medical services personnel provider shall be interviewed as part of the investigation process until such time as the requirements have been met, and that failure to comply with the requirements shall entitle the emergency medical services provider to recover damages in the amount of \$25,000 plus all reasonable costs and attorney fees.

Patron - Abbitt

SB822 Autopsy reports; release to mental health facilities. Clarifies that programs at mental health facilities, community services boards, and behavioral health authorities are included among the health facility quality assurance programs that are authorized to receive autopsy reports.

Patron - Cuccinelli

SB962 Fetal deaths; report when unattended; penalty. Requires that when a fetal death occurs without medical attendance upon the mother at or after the delivery or abortion, the mother or someone acting on her behalf, within 24 hours, report the fetal death, location of the remains, and identity of the mother to the local or state police or sheriff's department of the city or county where the fetal death occurred. The bill also specifies that no one shall remove, destroy, or otherwise dispose of any remains without the express authorization of law-enforcement officials or the medical examiner, and that a violation of this section is a Class 1 misdemeanor.

Patron - Obenshain

SB1034 Law-enforcement officers; deemed consent. Removes the requirement that a law-enforcement officer inform a person that if the officer comes into contact with that person's body fluids in a manner that may transmit human immunodeficiency virus or hepatitis B or C viruses, that person will be deemed to have consented to HIV and hepatitis B and C testing. This bill was incorporated into SB 1107.

Patron - Hanger

SB1057 Virginia Smoke Free Air Act; smoking in public places; civil penalties. Moves the law restricting smoking in buildings and other enclosed areas from the title relating to local government (15.2) to the title relating to health (32.1) and prohibits smoking indoors in most buildings or enclosed areas frequented by the public. Exceptions are provided for (i) private homes, private residences, private automobiles, and home-based businesses, unless used in conjunction with a licensed child care, adult day care, or health care facility; (ii) private clubs, except when being used for functions attended by persons other than members and invited guests; (iii) hotel or motel rooms designated as smoking rooms that are offered for rent to the public; (iv) specialty tobacco stores; (v) tobacco manufacturers; and (vi) private and semiprivate rooms in nursing homes and long-term care facilities. The bill requires the posting of "No Smoking" signs inside and at the entrances of areas where smoking is prohibited. Any person who continues to smoke in an area in which smoking is prohibited will be subject to a civil penalty of not more than \$100 for the first offense, and \$250 for subsequent offenses. Failure to comply with the smoking restrictions will subject proprietors to a \$200

civil penalty for the first offense and \$500 for subsequent offenses. Incorporated in SB 1105.

Patron - Whipple

SB1106 Smoking in cars with minor present; civil penalty. Makes it unlawful for a person to smoke in a motor vehicle, whether in motion or at rest, in which a minor is present, punishable by a civil penalty not to exceed \$100.

Patron - Northam

SB1152 Infectious disease; deemed consent for testing. Eliminates requirement that, in other than emergency situations, a law-enforcement officer give notice that a person shall be deemed to have consented to testing and disclosure of test results for HIV and hepatitis B or C, when the officer is directly exposed to body fluids of a person in a manner that may transmit HIV or hepatitis B or C. This bill was incorporated into SB 1107.

Patron - McDougle

SB1160 Virginia Indoor Clean Air Act; civil penalty. Moves the regulation of smoking in restaurants from Title 15.2 to a new chapter in Title 32.1. This bill prohibits smoking in all indoor restaurants and bar and lounge areas in the Commonwealth. Also, the bill requires the posting of "No Smoking" signs and provides for a \$25 civil penalty for a violation of these provisions. This bill was incorporated into SB 1105.

Patron - Saslaw

SB1229 Protection of medical information. Adds further protections to medical information by (i) adding medical information and health insurance information to the definition of personal information, which requires an individual to be notified in the case of a database security breach, and (ii) adding a corporation organized for the purpose of maintaining medical information to the definition of health care provider in the health records privacy act.

Patron - Barker

SB1263 Certificate of Public Need; exception. Provides for the authorization and acceptance of certain certificate of public need applications and for the authorization of funding incentives from existing funds to effect a Green House demonstration nursing home in Planning District 8.

Patron - Vogel

SB1270 Licensure of abortion clinics. Requires all abortion clinics, defined as any facility other than a hospital or an ambulatory surgery center in which 25 or more first trimester abortions are performed in any 12-month period, to be licensed and to comply with the requirements currently in place for ambulatory surgery centers except the requirement for a certificate of public need. The Board of Health may also waive certain structural requirements.

Patron - Vogel

SB1286 Department of Health; certificates of free sale. Extends until July 1, 2010, the authority of the Department of Health to issue certificates of free sale to the manufacturer of any product defined as a "cosmetic" in the Federal Food, Drug and Cosmetic Act, 21 U.S.C. 301(i) to allow the export of such products.

Patron - Newman

SB1334 Certificate of Public Need; schedule of fees. Increases the maximum amount for fees for an application for a certificate of public need from \$20,000 to \$50,000 and provides that such fees shall be divided equally between the Department of Health and the regional health planning agencies, with the allocation among the regional health planning

agencies based on population, except that when a region does not have a regional health planning agency, the Department shall retain fees that would have been distributed to that regional health planning agency.

Patron - Puckett

FSB1437 State surgeon general; duties. Establishes a State Surgeon General, to be appointed by the Governor and subject to confirmation by the General Assembly. The Surgeon General shall be a physician licensed to practice medicine in the Commonwealth and shall be certified by the American Board of Preventive Medicine or a recognized board in a primary care specialty as approved by the American Board of Medical Specialties and experienced in public health.

Patron - Miller, Y.B.

FSB1467 Certificate of public need; exemption. Exempts from the certificate of public need requirements up to 10 beds for the delivery of inpatient psychiatric services in a critical access hospital.

Patron - Reynolds

FSB1497 Virginia Network for Geospatial Health Research Authority; created. Creates the Virginia Network for Geospatial Health Research Authority, as a body politic and corporate, a political subdivision of the Commonwealth, to (i) provide for the continuity and expansion of research both within the public and private sectors using geospatial analysis of health and health care relevant data, (ii) develop economies of scale within state health agencies and within public health programs within the Commonwealth's universities, (iii) provide geospatial analytical support to other political subdivisions concerned with cost-effective targeting of public health initiatives, and (iv) engage in such other lawful activities as the Board of Directors of the Authority deems reasonable and appropriate.

Patron - Barker

Highways, Bridges and Ferries

Passed

PHB1580 Hampton Roads Transportation Authority. Abolishes the Authority and the taxes, fees, and charges dedicated to financing its operation and programs. The bill also makes several technical changes. Except for some capitalization and the order of the final enactments, this bill is the same as SB 1018.

Patron - Oder

PHB1611 Veterans Memorial Bridge. Designates the Interstate Route 64 bridges near the town of Clifton Forge at approximately mile marker 24 the "Veterans Memorial Bridge."

Patron - Shuler

PHB1628 Contractor performance bonds for locally administered transportation improvement projects. Provides that whenever any county, city, or town undertakes administration of a transportation improvement project and obtains, in connection therewith, contractor performance bonds that include the Virginia Department of Transportation as a dual obligee, the amount of such bonds shall be no greater than would have been required had the Department not been included as a dual obligee. This bill incorporates HB 1677.

Patron - Cole

PHB1631 Interstate Public-Private Partnership Compact. Repeals Chapter 17 of Title 33.1, which established the Interstate Public-Private Partnership Compact.

Patron - Landes

PHB1645 Urban highway system construction allocations. Provides that not more than two-thirds (instead of the present one-third) of the annual urban system highway funds apportioned to a city or town may be used to reimburse the locality for debt service for bonds or eligible project costs incurred on approved projects included in the Six-Year Improvement Program of the Commonwealth Transportation Board and the city's or town's capital improvement program. This bill is the same as SB 1438.

Patron - Marshall, D.W.

PHB1667 American Former Prisoners of War Memorial Highway. Extends the American Former Prisoners of War Memorial Highway (U.S. Route 19) northward from the Russell/Tazewell County line to U.S. Route 460 at Claypool.

Patron - Bowling

PHB1713 Holland-Councill Memorial Bridge. Designates the U.S. Route 58 Business bridge over the Blackwater River in Isle of Wight County the "Holland-Councill Memorial Bridge." This bill is the same as SB 802. This bill incorporates HB 2244.

Patron - Tyler

PHB1763 Naming of bridges. Repeals a section of the Code (§ 33.1-250) that in part overlaps and in part conflicts with provisions in another Code section (subdivision 4 of § 33.1-12), where this subject is treated in more detail, and which has more recently been amended.

Patron - Landes

PHB1835 Rail Enhancement Fund. Allows the Rail Enhancement Fund to be used to support improvements, etc., to passenger and freight railways that result in a public benefit in terms of traffic congestion, environmental quality, and passenger rail capacity in corridors, identified by the Commonwealth Transportation Board, that have existing passenger rail service.

Patron - Toscano

PHB1880 Department of Rail and Public Transportation (VDRPT). Makes VDRPT responsible for ensuring the safety of rail fixed guideway transit systems within the Commonwealth and carrying out state safety and security oversight responsibilities for rail fixed guideway transit systems as required by the Federal Transit Administration and federal law.

Patron - Miller, P.J.

PHB2019 Transportation corridors. Allows the Commonwealth Transportation Board to establish transportation corridors in connection with the establishment of the Statewide Transportation Plan. This bill incorporates HB 2420 and is the same as SB 1398.

Patron - Rust

PHB2088 Public recreational access and safety issues; new railroad projects. Provides that, no later than December 1, 2009, the Department of Rail and Public Transportation, the Department of Game and Inland Fisheries, and the Department of Conservation and Recreation shall develop a process to coordinate and evaluate public recreational access and safety issues related to certain new railroad projects.

Patron - Fralin

HB2099 George Washington Toll Road Authority. Creates a toll road authority encompassing the City of Fredericksburg and the County of Spotsylvania for the purposes of alleviating highway congestion, promoting highway safety, expanding highway construction, increasing the utility and benefits and extending the services of public highways, including bridges, tunnels and other highway facilities, both free and toll, and otherwise contributing to the welfare of the Commonwealth and the George Washington Region.

Patron - Orrock

HB2401 Bridge designations. Designates the following bridges: the U.S. Route 29 bridge over the Rapidan River between Greene and Madison Counties as the "Fallen Heroes Memorial Bridge in honor of Corporal Adam J. Fargo and Private First Class Edwin A. Andino" and the U.S. Route 340 bridge over Overall Run at the Warren County/Page County line as the "Larry E. Smedley (USMC) Memorial Bridge."

Patron - Bell

HB2425 Primary and secondary system of state highways; localities. Provides for the transfer of roads, bridges, and streets from the primary system of state highways to the local system of roads operated by certain localities. Also provides that any county choosing to resume responsibility over the secondary roads within its boundaries shall be deemed to have withdrawn from the secondary system of state highways.

Patron - May

HB2476 HOV lanes; clean special fuel vehicles. Extends until July 1, 2010, the "sunset" provision allowing vehicles bearing clean special fuel license plates to use HOV lanes regardless of the number of passengers. This bill incorporates HB 1932 and HB 2299.

Patron - Hugo

HB2477 Popes Head Road. Designates the entire length of Popes Head Road in Fairfax County a Virginia byway.

Patron - Hugo

HB2577 Noise abatement practices and technologies. Requires that whenever the Commonwealth Transportation Board or VDOT plans for or undertakes any highway construction or improvement project and such project includes or may include the requirement for the mitigation of traffic noise impacts, consideration shall be given to the use of noise reducing design and low noise pavement materials and techniques.

Patron - May

SB802 Holland-Councill Memorial Bridge. Designates the U.S. Route 58 Business bridge over the Blackwater River in Isle of Wight County the "Holland-Councill Memorial Bridge." This bill incorporates SB 1005. This bill is identical to HB 1713.

Patron - Lucas

SB941 Staff Sergeant Jason R. Arnette Memorial Bridge. Designates the U.S. Route 360 (Patrick Henry Highway) bridge over U.S. Route 360 Business (Goodes Bridge Road) in Amelia County the "Staff Sergeant Jason R. Arnette Memorial Bridge."

Patron - Watkins

SB1018 Hampton Roads Transportation Authority. Abolishes the Hampton Roads Transportation Authority and repeals the various taxes associated with the Authority and

local governments embraced by the Authority. The bill also requires that the Statewide Transportation Plan incorporate long-range plan measures and goals developed by the Hampton Roads Metropolitan Planning Organization, instead of those of the Authority. Except for some capitalization and the order of the final enactments, this bill is the same as HB 1580.

Patron - Miller, J.C.

SB1238 Virginia Department of Rail and Public Transportation (VDRPT). Grants the Director of VDRPT, in procuring architectural and engineering services for rail and public transportation construction projects, the same procurement powers granted to the VDOT Commissioner by the Virginia Public Procurement Act.

Patron - Barker

SB1288 Parkway. Provides that the term "parkway" as used in § 33.1-369 of the Code of Virginia does not include any parkway designated by Chapter 44 of the Acts of Assembly of 2008.

Patron - Newman

SB1398 Statewide Transportation Plan. Provides that the Statewide Transportation Plan shall include corridors of statewide significance. This bill incorporates SB 1475. This bill is identical to HB 2019.

Patron - Norment

SB1405 Richard Daley Mahone Memorial Bridge; John McLaughlin Memorial Bridge. Designates the Virginia Route 143 (Merrimac Trail) bridge over Queens Creek in Williamsburg the "Richard Daley Mahone Memorial Bridge" and the Virginia Route 64 (Old Roxbury Road) bridge that crosses Interstate Route 64 in New Kent County the "John McLaughlin Memorial Bridge."

Patron - Norment

SB1438 Urban highway system construction funds. Increases from one-third to two-thirds the portion of a city or town's urban highway system construction funds that can be used to service debt. This bill is identical to HB 1645.

Patron - Miller, Y.B.

SB1475 The Office of Intermodal Planning and Investment and the Statewide Transportation Plan. Updates responsibilities of the Office of Intermodal Planning and Investment and the Statewide Transportation Plan. This bill was incorporated into SB 1398.

Patron - McEachin

SB1530 Subdivision streets; acceptance into state secondary highway system. Provides that no secondary street can be taken into the state secondary highway system unless and until any and all required permits have been obtained and any outstanding fees, charges, or other financial obligations of whatsoever nature have been satisfied or provision has been made, whether by the posting of a bond or otherwise, for their satisfaction.

Patron - Norment

SB1550 Jordan Bridge. Authorizes the Chesapeake City Council to provide for the emergency replacement of the Jordan Bridge (Poindexter Street, crossing the Southern Branch of the Elizabeth River). The bill includes an emergency clause making it effective retroactively to January 1, 2009.

Patron - Blevins

Failed

HB1579 Transportation funding and administration. Provides for transportation funding and administration in Hampton Roads, Northern Virginia, the Richmond Highway Construction District, the Staunton Highway Construction District, and the Salem Highway Construction District. The bill repeals the Hampton Roads Transportation Authority and repeals certain fees and taxes authorized pursuant to Chapter 896 of the Acts of Assembly of 2007 that are within the ambit of the Supreme Court of Virginia's decision on February 29, 2008, that they are unconstitutional. This bill incorporates HB 2622.

Patron - Oder

HB1581 VDOT highway logo and tourist-oriented directional sign programs. Requires the Virginia Department of Transportation (VDOT) and the Commonwealth Transportation Board to revise VDOT's highway logo sign and tourist-oriented directional sign programs to provide for signs giving directions to senior centers.

Patron - Toscano

HB1642 Naming highways, etc. Allows the Commonwealth Transportation Board to name a highway, bridge, or interchange for a living person, group, or business entity if the cost of construction of the bridge, highway, or interchange is paid by the person, group, or business entity.

Patron - Marshall, R.G.

HB1648 Virginia byways. Requires that every agency, instrumentality, and political subdivision of the Commonwealth must give due consideration to what impact or effect any of its plans or projects might have upon the qualities that caused such road to be designated a byway.

Patron - Ware, R.L.

HB1677 Contractor performance bonds for locally administered transportation improvement projects. Provides that whenever any county, city, or town undertakes administration of a transportation improvement project and obtains, in connection therewith, contractor performance bonds that include the Virginia Department of Transportation as an additional insured, the amount of such bonds shall be no greater than would have been required had the Department not been included as an additional insured. This bill was incorporated into HB 1628.

Patron - Orrock

HB1723 Highway Maintenance and Operating Fund. Provides a formula for allocating the proceeds of the Highway Maintenance and Operating Fund.

Patron - Albo

HB1861 Street maintenance payments. Provides for increased payments where traffic volumes exceed the state-wide average by more than 20 percent.

Patron - Shannon

HB1882 Composition of RMA Board. Revises the composition of the Board of Directors of the Richmond Metropolitan Authority (RMA).

Patron - Nixon

HB1920 Revenue-sharing funds. Allows towns with populations of no more than 15,000 to use "revenue-sharing funds" allocated by the Commonwealth Transportation Board for highway maintenance.

Patron - Crockett-Stark

HB1932 HOV lanes; clean special fuel vehicles. Extends until July 1, 2010, the "sunset" provision allowing vehicles bearing clean special fuel license plates to use HOV lanes regardless of the number of their passengers. This bill was incorporated into HB 2476.

Patron - Plum

HB1992 Outdoor signs and advertising; Fairfax County. Provides that all penalties and costs collected for violations of advertising provisions when the locality has entered into an agreement with the Commonwealth Transportation Commissioner shall be paid to the affected locality. Excludes signs and advertising erected from Saturday through the following Monday from those agreements with the Commissioner.

Patron - Bulova

HB1993 Allocation of maintenance funds among highway systems. Requires the Commonwealth Transportation Board, in allocating highway maintenance funds, to achieve a minimal level of disparity among VDOT's highway construction districts in meeting asset management performance standards established under § 33.1-13.02.

Patron - Bulova

HB2020 Allocation of highway maintenance funds. Provides a method by which the Commonwealth Transportation Board is to allocate additional funds for highway maintenance in the event of insufficiency of funds in the Highway Maintenance and Operating Fund. Such allocations would begin with fiscal year 2011.

Patron - Rust

HB2076 Tolls. Prohibits imposition and collection of tolls for use of (i) Interstate Route 64 between the Virginia Route 143 (Jefferson Avenue) interchange in the City of Newport News and the Hampton Roads Bridge-Tunnel and (ii) Interstate Route 664 between Interstate Route 64 and the Monitor-Merrimac Memorial Bridge-Tunnel.

Patron - Oder

HB2079 Hampton Roads Bridge-Tunnel; unsolicited proposals. Directs the Virginia Department of Transportation to accept unsolicited proposals to add capacity to the Hampton Roads Bridge-Tunnel.

Patron - Oder

HB2117 HOT lanes. Prohibits the designation of HOT lanes on any portion of I-95 between the Potomac River and the City of Fredericksburg.

Patron - Nichols

HB2118 Secondary highway system construction allocations. Allocates construction funds among the counties in the state secondary highway system solely on the basis of population. Presently, allocations are made on the basis of population (80 percent) and area (20 percent).

Patron - Nichols

HB2119 Rail Enhancement Fund. Allows the Director of the Department of Rail and Public Transportation, with the approval of the Rail Advisory Board, to waive the requirement that projects funded by the Rail Enhancement Fund include a minimum of 30 percent cash or in-kind matching contribution from a private source, which may include a railroad, a regional authority, a local government source, or a combination of such sources. The bill also allows the use of funds

from "federal governmental sources" in connection with projects funded from the Fund.

Patron - Nichols

HB2122 Outdoor advertising; penalties. Increases penalties for violation of certain provisions of the outdoor advertising requirements from \$10-\$50 for first and subsequent offenses to \$50-\$100 for a first offense and \$200-\$500 for each subsequent offense. This increase applies only to violations for which no other penalty is already prescribed. This bill was incorporated into HB 2137.

Patron - Nichols

HB2137 Outdoor advertising; penalties. Increases penalties for violation of certain provisions of the outdoor advertising requirements from between \$10-\$50 to between \$50-\$250. This increase applies only to violations for which no other penalty is already prescribed. This bill incorporates HB 2122.

Patron - Miller, J.H.

HB2194 Motor fuels tax; rate increase; allocation of construction funds for primary highway system. Increases the motor fuels tax by \$0.10 per gallon, minus \$0.01 for each \$0.20 that the average price of gasoline exceeds \$3.00. The tax will be indexed every two years beginning July 1, 2010, by an amount equal to the percentage change in the U.S. Department of Labor's Producer Price Index for Highway and Street Construction. The revenue generated is used for transportation purposes as required by existing law, and allocates primary system highway construction funds among the nine highway construction districts on the basis of the ratio of vehicle miles traveled on primary highways divided by the lane miles of primary highways in each highway construction district, weighted 90 percent, and a need factor, weighted 10 percent.

Patron - Watts

HB2230 Highway construction allocations; Northern Virginia and Hampton Roads. Provides that every year, the Commonwealth Transportation Board must allocate to highway construction projects in the Northern Virginia highway construction district or the Hampton Roads highway construction district at least as much as was allocated for highway construction in each respective district in fiscal year 2008-09.

Patron - Marsden

HB2232 Crashes on HOT lanes under construction on the Capital Beltway. Requires that when there is a vehicle crash on HOT lanes under construction on the Capital Beltway and the vehicles involved in the crash can be moved and there are no apparent bodily injuries, the drivers must move their vehicles to the nearest designated pull-off area. Failure to do so is punishable by a civil penalty of \$100, to be paid into the Highway Maintenance and Operating Fund. VDOT is required to post the bill's requirements on signs along the Capital Beltway in Virginia where HOT lanes are under construction. The bill's provisions expire when HOT lane on the Capital Beltway in Virginia is completed and the Virginia Department of Transportation accepts the project.

Patron - Marsden

HB2244 Holland-Councill Memorial Bridge. Designates the U.S. Route 58 Business bridge over the Blackwater River in Isle of Wight County the "Holland-Councill Memorial Bridge." This bill was incorporated into HB 1713.

Patron - Barlow

HB2299 HOV lanes; clean special fuel vehicles. Extends until July 1, 2010, the "sunset" provision allowing vehicles bearing clean special fuel license plates to use HOV

lanes regardless of the number of passengers. This bill was incorporated into HB 2476.

Patron - Caputo

HB2600 Transportation-disadvantaged persons. Requires the Commonwealth to develop plans and programs to assist the transportation disadvantaged.

Patron - McClellan

HB2622 Transportation funding; the Salem Highway Construction District. Provides funds for transportation in the Salem Highway Construction District by allocating revenue attributable to a portion of economic growth due to or facilitated by the Inland Port in Montgomery County. This bill was incorporated into HB 1579.

Patron - Marshall, D.W.

HB2664 U.S. Route 29; access management. Requires the Commonwealth Transportation Commissioner to take all appropriate measures to develop local corridor access management plans for U.S. Route 29 between Gainesville and North Carolina.

Patron - Valentine

SB830 Local governing bodies as agents of the Commonwealth Transportation Commissioner; removal of certain advertising. Allows the governing body of any county, city, or town to authorize local law-enforcement agencies or other governmental agencies to act with the same authority granted to the Commissioner for the purpose of removing certain signs and advertising.

Patron - Cuccinelli

SB836 Toll Facilities Revolving Account. Provides that any balance remaining on any loan issued to a political subdivision from funds in the Toll Facilities Revolving Account shall either be repaid in full or assumed as a loan issued pursuant to this bill by any private entity who enters into a comprehensive agreement with a responsible public entity for construction of a qualifying transportation facility if (i) such comprehensive agreement authorizes the issuance of tolls on a portion of such qualifying transportation facility; (ii) the qualifying transportation facility is included in the same Record of Decision or Revised Record of Decision issued by the Federal Highway Administration as that issued for the project financed by such loan; (iii) no tolls were imposed upon completion of construction of the project financed by such loan; and (iv) such political subdivision pledged to repay such loan from its annual allocation of construction funds for urban system highways as authorized by the Commonwealth Transportation Board.

Patron - Lucas

SB863 TransDominion Express Commission. Establishes the TransDominion Express Commission, to be responsible, within the TransDominion Corridor, for identifying needed construction, reconstruction, improvements of or repairs to railroads and their facilities and equipment to provide enhanced passenger rail service coordinated with freight rail opportunities within the corridor.

Patron - Edwards

SB864 Rail Transportation Development Authority. Establishes the Rail Transportation Development Authority. The Authority is to be responsible for identifying needed construction, reconstruction, improvements, or repairs to railroads and their facilities and equipment. The Authority is given the power to finance or assist in financing any such rail transportation project. The bill requires the Virginia Department of Rail and Public Transportation, in conjunction with the Authority, to develop a rail transportation plan for the Commonwealth.

The bill further abolishes the Rail Advisory Board and repeals Chapter 1041 of the 2003 Acts of Assembly, which provided for the creation of a Rail Transportation Development Authority, but never became effective, because it included a reenactment clause, and the act was not reenacted.

Patron - Edwards

FSB900 Contractor performance bonds for locally administered transportation improvement projects. Provides that whenever any county, city, or town undertakes administration of a transportation improvement project and obtains, in connection therewith, contractor performance bonds that include the Virginia Department of Transportation as an additional insured, the amount of such bonds shall be no greater than would have been required had the Department not been included as an additional insured.

Patron - McDougale

FSB901 Shane Timothy Adcock Memorial Bridge. Designates the Virginia Route 835 bridge over Interstate Route 95 in Hanover County the "Shane Timothy Adcock Memorial Bridge."

Patron - McDougale

FSB995 Hampton Roads Transportation Authority. Abolishes the Authority and the taxes, fees, and charges dedicated to financing its operation and programs. The bill also makes several technical changes.

Patron - Miller, J.C.

FSB1005 Holland-Councill Memorial Bridge. Designates the U.S. Route 58 Business bridge over the Blackwater River in Isle of Wight County the "Holland-Councill Memorial Bridge." This bill was incorporated into SB 802.

Patron - Quayle

FSB1224 Highways; littering unsightly matter. Provides that when a person is convicted of illegally dumping or disposing of garbage or refuse on public property or on private property without the permission on the owner the court shall impose a fine of not less than \$500 and order a mandatory 10 hours of community service.

Patron - Smith

FSB1232 HOT lane construction contracts. Requires that HOT lane construction contracts contain requirements for minimum average speed for vehicles using the facility.

Patron - Barker

FSB1281 Advertising structures. Provides that the prohibition on advertising structures within 660 feet of any "parkway" does not apply to the Jerry Falwell Parkway, designated by Chapter 44 of the Acts of Assembly of 2008.

Patron - Newman

FSB1368 Allocation of maintenance funds among highway systems. Requires the Commonwealth Transportation Board to utilize the estimated budget required to meet performance standards for asset management under § 33.1-13.02 in determining the total amount of funds that are reasonable and necessary for maintenance of roads; the allocation of the total amount of funds made available for maintenance shall be based on achieving a minimal level of disparity in meeting asset management performance standards established under § 33.1-13.02; such provision to be fully implemented by fiscal year 2015.

Patron - Barker

FSB1457 Hampton Roads MPO. Increases the size of the Hampton Roads Metropolitan Planning Organization

(MPO) by seven: four members of the House of Delegates, and three members of the Senate.

Patron - Miller, J.C.

Homestead and Other Exemptions

Passed

PHB1668 Garnishment. Provides that a parent who supports a dependent child or children residing with him may hold exempt from garnishment an additional amount for the support of the child or children as follows: \$34 per week for one child; \$52 per week for two children; and \$66 per week for three or more children. This additional exemption amount shall not be available to a parent whose household gross income, including any support payments received for the children, exceeds \$1,750 per month. In order to claim this exemption, the parent must file an affidavit concerning his household income and the number of dependent children in his home and submit two items of proof showing that the debtor is entitled to the exemption.

Patron - Kilgore

PHB2559 Homestead exemption. Increases the homestead exemption from \$5,000 to \$10,000 for householders who are 65 years of age or older.

Patron - Johnson

PHB2560 Homestead exemption; veterans. Increases the additional homestead exemption for veterans from \$2,000 to \$10,000.

Patron - Johnson

Failed

PHB2229 Exemption from creditor process for retirement benefits. Prohibits a person acting as a trustee or custodian with respect to an individual retirement account or other exempt retirement plan from exercising setoff against the retirement plan except to the extent permitted under federal law.

Patron - Marsden

Hotels, Restaurants, Summer Camps and Campgrounds

Failed

FSB1382 Smoking in restaurants; civil penalties. Creates a statewide ban on smoking in restaurants, sets out exceptions to this ban, and provides for civil penalties for violation. The bill contains technical amendments.

Patron - Stolle

Housing

Passed

HB1890 Housing authorities; referendum. Increases the number of qualified voters in a locality needed to have a referendum creating a housing authority from at least 100 voters to at least two percent of the qualified voters. The bill also provides that once a referendum has been held, no other referendum on the same question shall be held in the county, city, or town within five years of the date of the prior referendum.

Patron - Brink

HB2569 Manufactured Housing Licensing and Transaction Recovery Fund Law. Limits to \$4,000 the amount of actual damages that a manufactured home dealer may retain when a buyer fails to accept delivery of a manufactured home that is larger than a single section unit and in the manufactured home dealer's stock. The bill also raises the limit of actual damages from \$5,000 to \$7,000 when a buyer fails to accept delivery of a manufactured home that is larger than a single section unit and is specially ordered for the buyer. The bill also (i) raises the maximum claim amount of a single claimant against the Manufactured Housing Recovery Fund for single or multiple violations by one or more regulants from \$20,000 to \$40,000, (ii) raises the minimum balance of the Fund from \$250,000 to \$300,000, (iii) authorizes interest earned on the Fund to be used for education programs for a wider range of individuals and to pay department staff expenses for conducting investigations, and (iv) authorizes the Manufactured Housing Board to use up to five percent of the balance of the Fund in any fiscal year for educational purposes and to pay investigation expenses. Under the bill, the provisions raising the minimum fund balance and authorizing the use of the Fund balance and interest on educational programs and to pay investigative costs will expire on July 1, 2011.

Patron - Scott, J.M.

SB1459 Manufactured Housing Licensing and Transaction Recovery Fund Law. Limits to \$4,000 the amount of actual damages that a manufactured home dealer may retain when a buyer fails to accept delivery of a manufactured home that is larger than a single section unit and in the manufactured home dealer's stock. The bill also raises the limit of actual damages from \$5,000 to \$7,000 when a buyer fails to accept delivery of a manufactured home that is larger than a single section unit and is specially ordered for the buyer. In addition, the bill raises the maximum claim amount of a single claimant against the Manufactured Housing Transaction Recovery Fund for single or multiple violations by one or more regulants from \$20,000 to \$40,000, and raises the minimum balance of the Fund from \$250,000 to \$300,000. The bill also (i) authorizes interest earned on the Fund to be used for education programs for a wider range of individuals and to pay department staff expenses for conducting investigations, and (ii) authorizes the Manufactured Housing Board to use up to five percent of the balance of the Fund in any fiscal year for educational purposes and to pay investigation expenses. The provisions of the bill amending § 36-85.31 will expire on July 1, 2011.

Patron - Puckett

Failed

HB1625 Housing; local government powers; fair housing protections. Allows localities to expand fair housing protections beyond the classes protected by state law.
Patron - Englin

HB2078 Uniform Statewide Building Code; authority of local building officials; penalty. Provides that in addition to the penalties provided for in § 54.1-111, the local governing body of a county, city, or town may, by ordinance, authorize its building official to issue a summons for unlicensed activity by any person required to be licensed by the Board for Contractors.
Patron - Oder

HB2388 Department of General Services; Uniform Statewide Building Code; buildings and structures owned by the state located on state property. Clarifies the applicability of the Uniform Statewide Building Code (USBC) to buildings and structures located on state property that are not owned by the state and the authority of the Division of Engineering and Buildings of the Department of General Services to act as the building official for determining compliance with the USBC.
Patron - Ebbin

HB2501 Department of Housing and Community Development; rental assistance pilot project. Requires the Department of Housing and Community Development to establish a three-year rental assistance pilot project and to report its findings and recommendations to the Governor and the Housing Commission.
Patron - Englin

HB2668 Fair Housing Law; unlawful discrimination; sexual orientation. Adds discrimination based on sexual orientation as an unlawful discriminatory housing practice.
Patron - Scott, J.M.

SB853 Carbon monoxide detectors. Requires the Board of Housing and Community Development to promulgate regulations establishing standards and requirements for carbon monoxide detectors in residential occupancies and dwelling units serviced by fuel-fired appliances. Owners of non-owner-occupied dwellings or residential units shall maintain the carbon monoxide detection devices in good working order.
Patron - Edwards

SB972 Building Code; enforcement of Property Maintenance Code by local governing body. Authorizes a local governing body to enforce the Virginia Maintenance Code in designated geographic areas of its jurisdiction.
Patron - Stuart

SB1055 Virginia Housing Partnership Revolving Trust Fund; dedicating revenues. Establishes special, permanent, nonreverting fund to provide affordable housing in the Commonwealth. The bill also provides that a portion of the fund shall be used to provide matching funds to localities that have both established a local housing fund and appropriated local moneys to the fund. Under the bill, the Department of Housing and Community Development is required to establish criteria for the allocation of the matching funds to eligible localities and to annually report on the allocation of matching funds. In addition, the bill authorizes grants to be made from the Fund to support innovative housing projects and low and moderate income housing projects that are located in areas experiencing extreme shortages of such housing as well as

rural housing initiatives. The bill also changes the name of the Virginia Housing Partnership Revolving Trust Fund to the Virginia Housing Trust Fund. This bill is recommended by the Virginia Housing Commission.

Patron - Whipple

FSB1139 Uniform Statewide Building Code; rental occupancy permits. Provides that the building official may revoke any rental occupancy permit issued when the owner has violated any provision of the Uniform Statewide Building Code on two occasions within a six-month period and the owner has failed to submit a plan to remedy the violation.

Patron - Petersen

FSB1430 Grants to purchasers of newly constructed residential homes. Authorizes the issuance of \$50 million in bonds to fund grants to individuals who purchase a principal residence in the Commonwealth that was first issued a certificate of occupancy on or after January 1, 2007, but before July 1, 2009. Eligible individuals would be individuals who had no present ownership in a principal residence within the last three years. The Virginia Housing Development Authority, in consultation with the Virginia Economic Development Partnership, would develop guidelines for purposes of determining eligible homebuyers and the amount of grant awards. The bill is contingent on supplemental appropriations that may be used for such a program being included in a federal stimulus package adopted by March 27, 2009, or on the State Treasurer certifying to the Governor, no later than September 1, 2009, that bonds or indebtedness issued or entered into pursuant to this act would not negatively impact the debt capacity of the Commonwealth.

Patron - Stosch

Institutions for the Mentally Ill; Mental Health Generally

Passed

PHB1657 Appointment of guardian or conservator. Clarifies that in a proceeding to appoint a guardian or conservator for a person, a court may appoint the spouse of the person.

Patron - Marshall, R.G.

PHB1843 Civil commitment of sexually violent predators; penalties. Makes a number of changes, including requiring that the court records for certain sexual misdemeanors be retained for 50 years rather than 10 years; allowing access to juvenile court and records of the Department of Juvenile Justice; addressing challenges to filing defects, including defendants under the Commitment Review Committee; allowing access to sealed records; extending from 60 to 90 days the time for a probable cause hearing and allowing the respondent to waive his right to such hearing; setting a standard for the court to find probable cause; and extending from 90 to 120 the number of days after the probable cause hearing for conduct of the trial.

Patron - Griffith

PHB1948 Examination for involuntary commitment; allow examination by licensed marriage and family therapists. Adds licensed marriage and family therapists to the list of persons who may conduct independent examinations of persons who are subject to a hearing for involuntary commitment.

Patron - Shuler

PHB2060 Mental health law revisions. Amends mental health statutes to address issues resulting from the overhaul of mental health laws during the 2008 Session. This bill clarifies requirements that law-enforcement initiated emergency custody remains subject to the four hour limit and two hour extension provisions; clarifies that the employee or designee of the community services board attending a commitment hearing need not be the person who prepared the prescreening report, and that neither the employee or designee of the community services board attending a commitment hearing nor the independent examiner who attends the commitment hearing shall be excluded pursuant to an order of sequestration of the witnesses; clarifies that the prescreening report shall be admitted into evidence and made part of the record of the case; and extends the CCRE reporting requirement to close of business on the next business day following the hearing resulting in involuntary commitment. This bill has an emergency clause. This bill is identical to SB 1083.

Patron - Hamilton

PHB2257 Outpatient treatment; voluntary admission. Provides that, in determining whether a person is capable of consenting to voluntary admission, the judge or special justice shall consider evidence regarding the person's past compliance or noncompliance with treatment.

Patron - Albo

PHB2300 Department of Mental Health, Mental Retardation and Substance Abuse Services; name change. Changes the name of the Department, Board, Inspector General, and Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to the Department, Board, Inspector General, and Commissioner of Behavioral Health and Developmental Services. This bill also makes technical amendments. This bill is identical to SB 1117.

Patron - Caputo

PHB2459 Consumers; right to notify. Provides that a consumer in a mental health facility shall have the opportunity to have an individual of his choosing notified of his general condition, location, and transfer to another facility. This bill is identical to SB 1076.

Patron - O'Bannon

PHB2460 Transportation of person under emergency custody order. Provides for transportation of a person who is the subject of an emergency custody order as a result of his inability to protect himself from harm, a person under a temporary detention order, and a person under an involuntary commitment order by a family member or friend, representative of the community services board, or other alternative transportation provider with staff trained to provide transportation in a safe manner. This bill is identical to SB 823.

Patron - O'Bannon

PHB2461 Notification of family member of person involved in commitment process. Authorizes disclosure to a friend or family member of a person who is the subject of an emergency custody order, temporary detention order, or involuntary commitment order, of information that is relevant to that friend's or family member's involvement with the person's health care, including information regarding the person's location and general condition. This bill is identical to SB 1077.

Patron - O'Bannon

PHB2486 Emergency custody; authority of law-enforcement officer. Authorizes a law-enforcement officer who is transporting a person who has voluntarily consented to being transported to a facility for assessment or evaluation and

who subsequently revokes consent to be transported to take such person into emergency custody when the law-enforcement officer determines that consent has been revoked and the person meets the criteria for emergency custody, even if the law-enforcement officer is beyond the territorial limits of the jurisdiction in which he serves. This bill also clarifies that a law-enforcement officer who takes a person into emergency custody based upon his own observations or reliable reports of others may transport such person beyond the territorial boundaries of the jurisdiction in which he serves in order to obtain the required assessment. This bill states that it is declarative of existing law. This bill is identical to SB 1079.

Patron - Ward

SB823 Transportation of person under emergency custody order. Provides for transportation of a person who is the subject of an emergency custody order as a result of their inability to protect themselves from harm, persons under a temporary detention order, and persons under an involuntary commitment order by a family member or friend, representative of the community services board, or other alternative transportation provider with staff trained to provide transportation in a safe manner. This bill is identical to HB 2460.

Patron - Cuccinelli

SB1076 Consumers; right to notify. Provides that a consumer in a mental health facility shall have the opportunity to have an individual of his choosing notified of his general condition, location, and transfer to another facility. This bill incorporates SB 1433. This bill is identical to HB 2459.

Patron - Howell

SB1077 Notification of family member of person involved in commitment process. Authorizes disclosure to a family member or personal representative of a person who is involved in the commitment process of information that is directly relevant to such person's involvement with the individual's health care, which may include the individual's location and general condition. This bill is identical to HB 2461.

Patron - Howell

SB1078 Special justices; expenses. Provides that special justices, retired judges, or district court substitute judges presiding over involuntary commitment hearings shall receive their necessary mileage, parking, tolls, and postage.

Patron - Howell

SB1079 Emergency custody; authority of law-enforcement officer. Authorizes a law-enforcement officer who is transporting a person who has voluntarily consented to being transported to a facility for assessment or evaluation and who subsequently revokes consent to be transported to take such person into emergency custody when the law-enforcement officer determines that consent has been revoked and the person meets the criteria for emergency custody, even if the law-enforcement officer is beyond the territorial limits of the jurisdiction in which he serves. This bill also clarifies that a law-enforcement officer who takes a person into emergency custody based upon his own observations or reliable reports of others may transport such person beyond the territorial boundaries of the jurisdiction in which he serves in order to obtain the required assessment. A second enactment clause provides that this bill is declarative of existing law. This bill is identical to HB 2486.

Patron - Howell

SB1081 Special justices; appointment. Clarifies that a special justice serves at the pleasure of the chief justice of the

judicial circuit in which he serves, rather than the specific chief justice that makes the original appointment.

Patron - Howell

SB1082 Voluntary and involuntary commitment; forms. Provides that the Office of the Executive Secretary of the Supreme Court shall prepare the petitions, orders, and such other legal documents as may be required in proceedings for emergency custody, temporary detention, and voluntary and involuntary admission to a facility and distribute such forms to the clerks of the general district courts and the juvenile and domestic relations courts. This bill further provides that the Department of Mental Health, Mental Retardation and Substance Abuse Services shall prepare the preadmission screening report, examination, and such other clinical forms as may be required for emergency custody, temporary detention, and voluntary and involuntary admission to a facility and distribute such forms to community services boards, mental health care providers, and directors of state facilities.

Patron - Howell

SB1083 Mental health law revisions. Amends mental health statutes to address issues resulting from the overhaul of mental health laws during the 2008 Session. This bill clarifies requirements that law-enforcement initiated emergency custody remains subject to the four hour limit and two hour extension provisions; clarifies that the employee or designee of the community services board attending a commitment hearing need not be the person who prepared the prescreening report, and that neither the employee or designee of the community services board attending a commitment hearing nor the independent examiner who attends the commitment hearing shall be excluded pursuant to an order of sequestration of the witnesses; clarifies that the prescreening report shall be admitted into evidence and made part of the record of the case; and extends the CCRE reporting requirement to close of business on the next business day following the hearing resulting in involuntary commitment. This bill has an emergency clause. This bill is identical to HB 2060.

Patron - Howell

SB1117 Department of Mental Health, Mental Retardation and Substance Abuse Services; name change. Changes the name of the Department, Board, Inspector General, and Commissioner of Mental Health, Mental Retardation and Substance Abuse Services to the Department, Board, Inspector General, and Commissioner of Behavioral Health and Developmental Services. This bill also makes technical amendments. This bill is identical to HB 2300.

Patron - Ticer

Failed

HB2062 Mental health; admission to a facility by an agent or guardian. Allows an agent appointed in an advance directive or a guardian to admit an incapacitated person to a mental health facility for no more than 10 calendar days if (i) prior to admission, a physician on the staff of or designated by the proposed admitting facility examines the person and states, in writing, that the person (a) has a mental illness, (b) is incapable of making an informed decision regarding admission, and (c) is in need of treatment in a facility; (ii) the proposed admitting facility is willing to admit the person; and, either (iii) the person has executed an advance directive in accordance with the Health Care Decisions Act (§ 54.1-2981 et seq.) authorizing the agent to consent to his admission to a facility and he is not protesting such admission; or (iv) the guardianship order specifically authorizes the guardian to consent to the admission

of such person to a facility. This bill was incorporated into HB 2396.

Patron - Hamilton

HB2156 Involuntary commitment; place of hearing. Provides that, upon the request of the respondent or his attorney, a district court judge or special justice may restrict attendance at an involuntary commitment hearing to persons whose participation is required for proper conduct of the hearing and those whose presence is requested by the respondent upon a finding that (i) such restriction is necessary to protect the respondent's health, safety, or privacy and (ii) the respondent's interest in the restriction outweighs the public's interest in attendance by any person who would be excluded.

Patron - Toscano

HB2288 Eligibility for employment with community services board; removes provision allowing employment of person convicted of assault and battery of a family member. Eliminates provision authorizing employment of a person convicted of assault and battery of a family member at an adult substance abuse or adult mental health treatment program by a community services board. This bill is identical to SB 1228.

Patron - Cline

SB818 Opiate addiction treatment providers; service fee. Requires that any licensed provider of treatment for persons with opiate addiction shall pay a service fee of not greater than 1.5 percent of each consumer's daily dosing fee that is charged by the program. The provider shall be responsible for calculating the fee, and on a quarterly basis, forwarding the collected fees to the Department.

Patron - Lucas

SB840 Mandatory outpatient treatment following inpatient treatment. Allows a court to enter an order for mandatory outpatient treatment following involuntary admission, which orders a person who has been involuntarily admitted to mandatory outpatient treatment. The criteria for such an order differ from the criteria used for a mandatory outpatient treatment order entered where the person was not first involuntarily admitted. The criteria for an order for mandatory outpatient treatment following involuntary admission are that the person (i) has mental illness; (ii) no longer needs inpatient hospitalization but requires mandatory outpatient treatment to prevent rapid deterioration of his condition that would likely result in his meeting the criteria for inpatient treatment; (iii) is not likely to obtain outpatient treatment unless the court enters the order; and (iv) is likely to comply with the order. Additionally, services must actually be available in the community and providers of services must have actually agreed to deliver the services. The bill also sets forth how orders for mandatory outpatient treatment following involuntary admission will be enforced, reviewed, continued, and rescinded.

Patron - Cuccinelli

SB1051 Mental health; admission to a facility by an agent or guardian. Allows an agent appointed in an advance directive or a guardian to admit an incapacitated person to a mental health facility for no more than 10 calendar days if (i) prior to admission, a physician on the staff of or designated by the proposed admitting facility examines the person and states, in writing, that the person (a) has a mental illness, (b) is incapable of making an informed decision regarding admission, and (c) is in need of treatment in a facility; (ii) the proposed admitting facility is willing to admit the person; and, either (iii) the person has executed an advance directive in accordance with the Health Care Decisions Act (§ 54.1-2981 et seq.) authorizing the agent to consent to his admission to a facility and he is not protesting such admission; or (iv) the guardianship order

specifically authorizes the guardian to consent to the admission of such person to a facility. This bill was incorporated into SB 1142.

Patron - Whipple

SB1080 Involuntary commitment. Provides that Upon request of the respondent or his attorney, the district court judge or a special justice may restrict attendance at all or part of the hearing to persons whose participation is required for proper conduct of the hearing and those whose presence is requested by the respondent upon a finding based upon clear and convincing evidence that (i) such restriction is necessary to protect the health or safety of the respondent, or the privacy of the respondent's health information and (ii) the respondent's interest in the restriction outweighs the public's interest in attendance by any person who would be excluded.

Patron - Howell

SB1228 Eligibility for employment with community services board; removes provision allowing employment of person convicted of assault and battery of a family member. Eliminates provision authorizing employment of a person convicted of assault and battery of a family member at an adult substance abuse or adult mental health treatment program by a community services board. This bill is identical to HB 2288.

Patron - Barker

SB1303 Involuntary mental health commitment. Provides that a court may, in its discretion, appoint counsel for a minor in proceedings seeking judicial approval of the admission by the parents of a minor 14 years of age or older who is incapable of making an informed decision or who objects to the admission and provides that a court may, in its discretion, appoint a guardian ad litem for a minor who is the subject of an involuntary commitment petition. Currently, the court is required to appoint both a guardian ad litem and counsel in both circumstances. The bill also removes authority for monitoring compliance with mandatory outpatient treatment from special justices and places it with district court judges (currently it can be done by either) and allows recordings of hearings to be electronic or digital.

Patron - Hurt

SB1432 Notification of family member of person involved in commitment process. Authorizes disclosure of information regarding a patient's location and general condition to a family member or personal representative of the person. This bill was incorporated into SB 1077.

Patron - Cuccinelli

SB1433 Consumers; right to notify. Provides that a consumer in a mental health facility shall have the opportunity to have an individual of his choosing notified of his general condition, location, and transfer to another facility. This bill was incorporated into SB 1076.

Patron - Cuccinelli

Insurance

Passed

HB1887 Cancellation of property insurance policy upon foreclosure. Authorizes the cancellation of a policy insuring an owner-occupied dwelling on grounds that the property secured by the policy has been sold pursuant to foreclosure of a deed of trust encumbering the property.

Patron - Nixon

HB1935 Confidentiality of insurance information. Provides for the confidentiality of company licensing applications and supporting documentation received by the State Corporation Commission. The requirement for confidential treatment extends to information obtained by the Commission or any other person in the course of an investigation or a review of a licensing application.

Patron - Plum

HB1971 Credit life insurance reserve standards. Recognizes the 2001 CSO Male Composite Ultimate Mortality Table for use in determining the minimum standard of valuation for credit life insurance reserves, and the 1985 Commissioners' Individual Disability Table A in determining the standard for valuation of reserves for credit accident and sickness plans. The measure also specifies the interest rate and method to be used in determining the minimum standard of valuation. In addition, for credit life and disability contracts in the aggregate, insurers are required to establish an additional reserve liability if the net premium refund liability exceeds the aggregate recorded contract reserve.

Patron - Ware, R.L.

HB1972 Credit insurance. Requires that a disclosure notice be provided to debtors on credit property, credit involuntary unemployment, credit life, and credit accident and sickness insurance policies. No insurance contract upon a debtor paid by a single premium shall be made unless the debtor is provided with a notice disclosing the right to a refund of premium if the insurance is terminated prior to its scheduled maturity date or the insured debt is terminated or paid off early, and of the debtor's obligation to notify the insurer of certain events. The minimum amount of a refund is increased from \$1 to \$5. Policies and certificates are required to include a notice advising the debtor of his rights and the insurer's obligations regarding premium refunds. The State Corporation Commission shall not approve a form for credit property or credit involuntary unemployment insurance paid by a single premium unless the policy or certificate states that the unearned premium refund will be calculated on a pro rata basis.

Patron - Ware, R.L.

HB1974 Crash prevention courses for those 55 years and older. Authorizes the Department of Motor Vehicles to approve a crash prevention course for drivers 55 or older that is delivered through a computer-based medium, if the course sponsor has been approved to provide the course in a classroom setting. Insurers may allow a premium reduction for persons who complete the course provided via the Internet or other electronic means. SB 1013 is identical.

Patron - Ware, R.L.

HB1982 Insurance; large commercial risks. Makes forms for commercial automobile insurance policies that are written to large commercial risks eligible for the exemption that currently exists for other insurance of large commercial risks. Currently, forms for writing commercial automobile insurance policies are excluded from the provision that exempts insurance of large commercial risks from requirements that policy forms be filed with, and approved by, the State Corporation Commission. The measure also provides that any officer of the large commercial risk is authorized to sign the required certification regarding compliance with certain requirements; currently, its chief executive officer must sign the certification.

Patron - McClellan

HB2024 Availability of basic health insurance. Allows health insurers to offer and sell group health insurance

policies or contracts that do not include state mandated health insurance benefits to employers with 50 or fewer employees to provide coverage for employees who have been uninsured during the preceding six months. Such a group policy or contract may include any, or none, of the state-mandated health benefits as the health insurer and the qualified small employer agree. Contracts shall be filed with the Bureau of Insurance and shall disclose the mandated benefits that are excluded from coverage. The measure also provides that a plan of correction prepared by a holder of a certificate of public need for a medical care facility may allow the holder to satisfy the conditions of the certificate regarding the provision of charity care by (i) making direct payments to a private nonprofit foundation that funds basic insurance coverage for indigents authorized under a memorandum of understanding with the Department of Health to receive contributions satisfying conditions of a certificate, or (ii) other documented efforts to provide primary or specialized care to underserved populations. Finally, the measure states that a health insurance policy or subscription contract may include caps or limits on the total annual or lifetime benefits provided thereunder at specified dollar amounts, which statement is declarative of existing law. Health insurers offering plans under this act are required to report annually to the Bureau of Insurance on the number of small employers and individuals using plans that do not offer mandated benefits, the coverage provided, and the cost of premiums and out-of-pocket expenses, which information shall be compiled, evaluated, and submitted to the Governor and General Assembly. HB 2209 is incorporated and SB 1411 is identical.

Patron - Marshall, D.W.

HB2430 Electronic delivery of insurance notices. Authorizes property, casualty, life, and certain other types of insurers to electronically transmit notices, other than notices of cancellation or termination of a policy, to the insured person. The insured's consent to receiving such notices electronically is required. If the parties agree to conduct business by electronic means, the agency of record shall be notified. Copies of electronic notifications are also required to be transmitted to the agent of record not more than 72 hours after the notice is transmitted to the insured.

Patron - May

HB2467 Funding preneed funeral contracts with life insurance. Requires that life insurance policies, annuity contracts, and certificates issued in connection with group life insurance policies or group annuity contracts specify the means by which face amount adjustments will be made, and benefits payable upon death will be adjusted, when they will be used to fund preneed funeral contracts. The measure also requires insurers proposing to issue life insurance policies or annuity contracts for purposes of funding preneed funeral contracts to disclose clearly their intended purpose and market when the forms are submitted for State Corporation Commission approval.

Patron - Morgan

HB2655 Interest on accident and sickness claim proceeds. Provides that the requirements regarding payment of interest on health insurance claims do not apply to claims proceeds payable to an out-of-state provider of pharmacy services, for such services provided outside Virginia, unless the state where the services are rendered fails to provide for payment of interest on the claims proceeds. In such event, interest shall be computed daily at the legal rate from the 30th day after the insurer received the proof of loss until the claim is paid.

Patron - Sickles

SB1013 Crash prevention courses for those 55 years and older. Authorizes the Department of Motor Vehicles to

approve a crash prevention course for drivers 55 or older that is delivered through a computer-based medium, if the course sponsor has been approved to provide the course in a classroom setting. Insurers may allow a premium reduction for persons who complete the course provided via the Internet or other electronic means. HB 1974 is identical.

Patron - Edwards

SB1044 Insurers; annual statements. Provides the State Corporation Commission with discretion to prescribe the method of filing annual statements that will be required for each type of insurer, including a requirement for insurers to submit filings electronically through the National Association of Insurance Commissioners. Currently, annual statements are required to be mailed to the Commission.

Patron - Miller, Y.B.

SB1116 Health insurance; mandated coverage for prosthetic devices and components. Requires health insurers, health care subscription plans, and health maintenance organizations to offer and make available coverage for medically necessary prosthetic devices, their repair, fitting, replacement, and components, to replace a limb.

Patron - Ticer

SB1352 Insurance holding companies. Authorizes the State Corporation Commission to approve any ordinary dividend or other distribution by a registered insurer that is a member of an insurance holding company system to its shareholders within 30 days of receiving written notice of the declaration. Currently, the insurer is required to provide written notice as to all dividends and other distributions at least 30 days prior to payment. The measure also clarifies the Commission's authority to request additional information in making determinations regarding filings of disclaimers of affiliation.

Patron - Wagner

SB1411 Availability of basic health insurance. Allows health insurers to offer and sell group health insurance policies or contracts that do not include state mandated health insurance benefits to employers with 50 or fewer employees to provide coverage for employees who have been uninsured during the preceding six months. Such a group policy or contract may include any, or none, of the state-mandated health benefits as the health insurer and the qualified small employer agree. Contracts shall be filed with the Bureau of Insurance and shall disclose the mandated benefits that are excluded from coverage. The measure also provides that a plan of correction prepared by a holder of a certificate of public need for a medical care facility may allow the holder to satisfy the conditions of the certificate regarding the provision of charity care by (i) making direct payments to a private nonprofit foundation that funds basic insurance coverage for indigents authorized under a memorandum of understanding with the Department of Health to receive contributions satisfying conditions of a certificate, or (ii) other documented efforts to provide primary or specialized care to underserved populations. Finally, the measure states that a health insurance policy or subscription contract may include caps or limits on the total annual or lifetime benefits provided thereunder at specified dollar amounts, which statement is declarative of existing law. Health insurers offering plans under this act are required to report annually to the Bureau of Insurance on the number of small employers and individuals using plans that do not offer mandated benefits, the coverage provided, and the cost of premiums and out-of-pocket expenses, which information shall be compiled, evaluated, and submitted to the Governor and General Assembly. HB 2024 is identical.

Patron - Watkins

SB1480 Life insurance policies; delivery method. Provides that the date of delivery of a life insurance policy shall be the date of signed receipt of delivery, if delivered by mail or physical delivery, or the date of electronic transmission, if effected electronically. In any event, a policy shall be deemed to have been received by a policy owner if six months have passed since its issuance and the owner paid premiums throughout the period.

Patron - Ruff

Failed

HB1588 Health insurance; mandated coverage for autism spectrum disorder. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorder in individuals under age 21. Coverage is subject to an annual maximum benefit of \$36,000.

Patron - Marshall, R.G.

HB1650 Pharmacy contracts; audits. Establishes requirements for audit procedures with respect to contracts between a health insurance carrier and its pharmacy benefits administrator, or between a carrier and a participating pharmacy provider or its contracting agent. Requirements address notice of audits, nondiscrimination, use of a licensed pharmacist to assist the auditor, provision of preliminary audit reports, use of extrapolations, charging interest, recovery or setoff for any overpayment or denial of claims, and related matters. Such contracts shall include a claims review process. The measure applies to contracts entered into, amended, extended, or renewed on or after January 1, 2010.

Patron - Ware, R.L.

HB1726 Group life insurance coverage. Allows coverage under a group life insurance policy to be extended to insure any class of persons as may mutually be agreed upon by the insurer and the group policyholder.

Patron - Rust

HB1829 Individual health insurance; classes of coverage. Requires the State Corporation Commission to establish, by regulation, classes, and tiers within each class, for the underwriting of health insurance coverage in the individual market. Classes and tiers shall recognize the risk associated with an individual's health condition or diagnosis, while differentiating among individuals diagnosed with or treated for a specific illness, disease, or condition based upon factors including the individual's current health condition and diagnosis; the current severity of the illness, disease, or condition; the prognosis for increased severity during the term of the coverage; projections of medical treatments and services expected to be required during the term of the coverage; and the extent to which the symptoms or pathologies associated with the illness, disease, or condition are adequately controlled through such measures as medication, diet, and exercise. Health insurers are required to underwrite such individual health insurance coverage, and to rate insured individuals, in a manner that ensures that the individual is placed in the appropriate class or tier. Insurers are required to provide an internal review procedure, and individuals aggrieved by the insurer's decision may appeal to the Commission, which may modify, affirm, or reverse the decision.

Patron - Fralin

HB1864 Viatical settlements; stranger-originated life insurance. Revises Virginia's Viatical Settlements Act to incorporate provisions regulating the issuance of stranger-originated life insurance (STOLI) policies, which arise when an

individual is provided a financial incentive to purchase a life insurance policy on himself with the intention of selling the policy at a later date to a third party investor who has no insurable interest in the insured. The measure provides for regulation by the Bureau of Insurance of activities of viatical settlement investment agents who sell such policies to investors. Entering in to any practice or plan that involves a STOLI policy is declared to be a fraudulent viatical settlement act that is prohibited under the Act. Other provisions restrict settlement for five years on policies financed with the intent to settle or having other elements indicating it is a STOLI transaction; however, an insured may enter into such a contract within the five-year period if he certifies that he entered into the viatical settlement contract more than two years after the policy was issued and the purchase of the policy was not financed by a third party.

Patron - Janis

HB1977 Health insurance; mandated coverage for prosthetic devices and components. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the cost of prosthetic devices and components. The measure also requires that the health insurance plan for state employees include coverage for the cost of prosthetic devices and components.

Patron - Ware, R.L.

HB2145 Health insurance provider contracts; access to coverage information. Requires health care provider contracts to require that the carrier providing the health plan make available to providers, by the Internet or other electronic medium, information that allows the provider to determine if the enrollee is covered under a health plan for which the provider is a member of the provider network or provider panel, if the enrollee is covered under another health plan provided by the carrier, and information regarding the enrollee's coordination of benefits. A carrier shall not deny a claim for payment unless it has determined that another carrier is the primary carrier of the enrollee and the primary carrier's name has been made available to the provider. The measure applies to provider contracts entered into, amended, extended, or renewed on or after July 1, 2009.

Patron - Nutter

HB2191 Health insurance; mandated coverage for telehealth services. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the cost of telehealth services when the services are appropriately provided through such means. "Telehealth services" means the use of interactive audio, video, or other telecommunications technology by a health care provider to deliver health care services at a site other than the site where the patient is located, for consultation, transfer of medical data, and medical education.

Patron - Phillips

HB2209 Health insurance; policies to protect the uninsured. Authorizes health insurers, health plans, and health maintenance organizations to offer "Protect the Uninsured" (PTU) policies. PTU policies may be sold to small employers with no more than 50 employees, to provide coverage for their employees who have been uninsured for the preceding six months. The coverage provided under a PTU policy will be determined at the discretion of the health insurer issuing the policy, and specifically is not required to include state-mandated health benefits. This bill is a recommendation of the Small Business Commission. This bill was incorporated into HB 2024.

Patron - Frederick

HB2337 Health insurance; mandated coverage for amino acid based elemental formulas. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the provision of amino acid based elemental formulas for the diagnosis and treatment of Immunoglobulin E and non Immunoglobulin E mediated allergies to multiple food proteins for enrollees under age 10, severe food protein induced enterocolitis syndrome, eosinophilic disorders as evidenced by the results of a biopsy, and impaired absorption of nutrients caused by disorders affecting the absorptive surface, functional length, and motility of the gastrointestinal tract.

Patron - Amundson

HB2431 Underinsured motorist insurance coverage. Provides a mechanism for a motor vehicle liability insurer to settle a claim for bodily injury or death for an amount that would exhaust its policy limits. Notice of the offer is required to be sent to any insurer providing uninsured motorist coverage. If the insurer consents to the liability insurer's tentative policy limits settlement offer, it will thereby waive its subrogation rights against the tortfeasor and his insurer. The measure also provides that the liability insurer of a tortfeasor, after paying the limits of liability under its policy and obtaining the court's approval, shall be released from further liability and the obligation to participate in the defense of an action against a tortfeasor for damages, including death, caused by the operation of an underinsured motor vehicle. The court may approve an application if it is persuaded that the tortfeasor has been sent notice of the nature of the proceeding and of his right to select counsel of his choice to appear in the action.

Patron - Joannou

HB2516 Motor vehicle insurance rate reductions; crash prevention courses. Provides that certain motor vehicle crash prevention courses may be delivered via the Internet or other electronic means so long as they have been approved by the Department of Motor Vehicles.

Patron - Ware, R.L.

HB2521 Health insurance; coverage for length of hospital inpatient stay for mother and newborn after childbirth. Requires insurers, corporations, and health maintenance organizations that provide individual or group benefits for obstetrical services to provide coverage for inpatient care of a mother and her newborn immediately after childbirth of no less than 72 hours of inpatient care following vaginal delivery or 96 hours of inpatient care following a Cesarean section.

Patron - Tyler

SB879 Underinsured motorist insurance. Authorizes an underinsured motorist insurer to assume control, for its own benefit, of the defense of an action involving its underinsured motorist coverage if the insurer for the putative at-fault insured settles, in part, the claims against its insured by payment of its applicable liability limits on behalf of its insured. The measure, which is based on a South Carolina statute, provides that an underinsured motorist insurer has 30 days after service of process in which to appear and defend in the name of the underinsured motorist an action that may affect its liability. The evidence of service upon the insurer may not be made a part of the record. The measure also prohibits an underinsured motorist policy from containing a clause requiring the insurer's consent to settlement with the at-fault party.

Patron - Martin

SB920 Health insurance; policies to protect the uninsured. Authorizes health insurers, health plans, and health maintenance organizations to offer "Protect the Uninsured"

(PTU) policies. PTU policies may be sold to small employers with no more than 50 employees, to provide coverage for their employees who have been uninsured for the preceding six months. The coverage provided under a PTU policy will be determined at the discretion of the health insurer issuing the policy, and specifically is not required to include state-mandated health benefits. Health insurers offering PTU policies are required to file quarterly reports with the Bureau of Insurance. The measure will expire on July 1, 2012.

Patron - Reynolds

FSB921 Mandated benefits; exempt individual policies. Eliminates all mandated benefits from inclusion in individual health insurance policies.

Patron - Reynolds

FSB945 Group life insurance coverage. Allows coverage under a group life insurance policy to be extended to insure any class of persons as may mutually be agreed upon by the insurer and the group policyholder.

Patron - Howell

FSB964 Health insurance; cost-sharing calculations. Requires a health insurer, health services plan, or health maintenance organization, when calculating the coinsurance obligation or other percentage of the cost of covered services provided to its insured, subscriber, or enrollee, to calculate the amount based on an amount not to exceed the provider's actual charge for the service when (i) the health insurer, health services plan, or health maintenance organization has agreed to pay the provider a fixed rate or charge for the covered service without regard to the provider's actual charge for the service and (ii) the provider's actual charge for the service is less than the fixed rate or charge for the covered service that the insurer, health services plan, or health maintenance organization has agreed to pay to the provider. In addition, persons covered under a managed care health insurance plan shall not be liable to the provider for any amount, other than any required copayment, in excess of the specified percentage of the cost of the covered service that is calculated based upon an amount not to exceed the provider's actual charge for the service provided to the covered person. Currently, a health insurer, health services plan, or health maintenance organization is required to calculate such amount based upon an amount that does not exceed the amount paid or payable to the provider.

Patron - Blevins

FSB976 Basic health benefit plans. Requires every health insurer, health maintenance organization, and corporation providing accident and sickness subscription contracts, as a condition of transacting business in Virginia, to offer to eligible individuals a basic health benefit plan. Eligible individuals are residents of the Commonwealth that have a family income that does not exceed 150 percent of the federal poverty level, have not been insured within the preceding six months, and are not eligible for coverage under certain government-sponsored health plans. Coverage under a basic health insurance policy provides benefits of at least 75 percent of necessary, reasonable, and customary charges for medical care, including hospitalization, surgery, physician services, emergency services, diagnostic tests, with a minimum annual deductible of \$5,000 for the eligible individual and \$10,000 for the eligible individual and dependent coverage, with maximum annual amount out-of-pocket limits for co-payments, co-insurance, deductibles, and other cost-sharing arrangement of \$10,000 for the eligible individual and \$20,000 for the eligible individual and dependents, and with maximum lifetime benefits of at least \$1 million. Such a policy will not provide benefits for routine

physician visits, prescription drugs, or dental treatment, or for any mandated benefit.

Patron - Stuart

FSB1260 Health insurance; mandated coverage for autism spectrum disorder. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorder in individuals under age 21. Coverage is subject to an annual maximum benefit of \$36,000.

Patron - Vogel

FSB1274 Health insurance; business practices. Prohibits the issuance, delivery, sale, or negotiation of an accident and sickness insurance policy, subscription contract for a health services plan, or health care plan, which provides for premiums to be paid on a monthly or other period basis, to require that the policyholder pay premiums in advance for future periods, as a condition to reinstatement of the policy, contract, or plan. Issuers of such policies, contracts, or plans shall not refuse to permit a policyholder to reinstate a policy, contract, or plan on the basis of the policyholder's claims experience or history of premium payments. The measure also requires that individual and group health policies, contracts, and plans include a grace period of not less than 90 days for the payment of any premium, except for the first premium.

Patron - Vogel

FSB1331 Health benefits plans offered by foreign health insurers. Authorizes health insurers licensed to sell health benefits plans in any other state to sell health benefits plans to residents of the Commonwealth if the foreign health insurer offers the same plans in its domiciliary state, is in compliance with the laws of that state, obtains a certificate of authority to do business in the Commonwealth, and participates in the Virginia Life, Accident and Sickness Insurance Guaranty Association. Foreign health insurers offering such plans in the Commonwealth will be subject to existing provisions regarding unfair trade practices, capital and surplus requirements, and taxes and assessments imposed on domestic health insurers selling individual and group health insurance policies.

Patron - Cuccinelli

FSB1458 Health insurance; mandated coverage for telehealth services. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the cost of telehealth services when the services are appropriately provided through such means. "Telehealth services" means the use of interactive audio, video, or other telecommunications technology by a health care provider to deliver health care services at a site other than the site where the patient is located, for consultation, transfer of medical data, and medical education.

Patron - Wampler

FSB1486 Investments of domestic insurers. Authorizes the State Corporation Commission to delay the application of provisions applicable to the investments of a petitioning domestic insurer, including the requirement that Category 2 investments be excluded from the value of admitted assets to the extent their value exceeds 75 percent of the amount by which the insurer's surplus to policyholders exceeds its minimum capital and surplus, if the Commission finds that the delay may be beneficial to the policyholders of the domestic insurer.

Patron - Edwards

Labor and Employment

Passed

HB2495 Child labor; driving automobiles and trucks. Permits children at least 17 years of age to drive automobiles or trucks on public roadways if enumerated criteria are satisfied, including requirements that the vehicle's gross weight not exceed 6,000 pounds, the driving occur in daylight hours, and the driving occur within 30 miles of the place of employment. Currently, 17-year-olds may not be employed as a driver or helper on a truck or commercial vehicle with more than two axles.

Patron - Alexander

SB860 Notice to employees; earned income tax credit. Requires employers to post any notice that may be provided by the Department of Social Services informing employees that they may be eligible for federal and state earned income tax credits.

Patron - Edwards

SB1264 Payment of wages and salaries; wage payments. Authorizes employers to pay wages and salaries to an employee hired after January 1, 2010, by credit to a prepaid debit card or card account, without the employee's affirmative written consent, if the employee fails to designate a financial institution to which payment could be made by electronic automated fund transfer and the employer arranges for the card or card account to be issued through a network system through which the employee will have the ability to make at least one free withdrawal or transfer per pay period, which withdrawal may be for any amount in the card or card account, using such card at a participating financial institution. Currently, payment via prepaid debit card or card account requires the affirmative consent of the employee, though such consent is not required if the employee has not designated a financial institution to which payment by electronic automated fund transfer could be made and the employee is employed at an amusement park.

Patron - Norment

Failed

HB1815 Questioning employees about criminal convictions; penalty. Prohibits an employer from asking an existing or prospective employee about the individual's record of arrests or convictions, unless the question refers to an arrest or conviction that occurred within the preceding 8 years or was for a violent felony. An employer may not take negative employment actions against an individual based on a response to a prohibited question. A violation is a Class 1 misdemeanor.

Patron - Morrissey

HB1869 Boiler inspections; immunity. Provides that agents and special inspectors who are authorized by the Commissioner of Labor and Industry to conduct boiler inspections, but who are not employed or paid by the Commonwealth, are exempt from civil liability from furnishing or failing to furnish inspections. This immunity does not apply in instances of gross negligence or willful misconduct.

Patron - Janis

Libraries

Passed

SB837 State Law Library; authorized users. Authorizes members of the General Assembly to designate one person to perform legal research in the State Law Library.

Patron - Cuccinelli

SB1189 Local law libraries. Authorizes all or a portion of local law libraries to be housed in local public libraries with the approval of and subject to the management of the local public libraries. Such law libraries are also authorized to charge a flat rate or fee to patrons for the use of computer research services. The bill also authorizes the use of some of the funding generated from the four dollars assessed on civil actions in certain localities to be used to acquire computer terminals for offsite placement to maximize access to the law library by the public.

Patron - Puckett

Mechanics' and Certain Other Liens

Passed

HB2164 Mechanics' liens; acquisition and disposal of abandoned vehicles. Provides new standards and procedures for acquisition and disposal of abandoned vehicles.

Patron - Lohr

Military and Emergency Laws

Passed

HB1983 Emergency response; liability. Provides civil immunity for private and charitable organizations providing resources and assistance, without compensation, pursuant to a governor-declared emergency or during a formal emergency management training exercise, and at the request of the State Department of Emergency Management or a local emergency management employee. The immunity would not apply in instances of gross negligence, recklessness, or willful misconduct.

Patron - McClellan

HB2350 Transportation of troops by railroad. Repeals an obsolete section referencing the transportation of troops by railroad. The provisions requiring the transportation of troops in times of peril were repealed by Chapters 114 and 157 of the 1996 Acts of Assembly.

Patron - Landes

HB2612 Emergency plans; victims' rights. Requires all emergency plans to include a provision that the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in

§ 19.2-11.01, as well as current contact information for both. This bill is identical to SB 1150.

Patron - Shannon

SB1150 Emergency plans; victims' rights. Requires all emergency plans to include a provision that the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in § 19.2-11.01, as well as current contact information for both. This bill is identical to HB 2612.

Patron - Howell

Failed

HB2398 Commonwealth Law-Enforcement Mutual Aid Agreement. Establishes the Commonwealth Law-Enforcement Mutual Aid agreement. Each local police and sheriff's department in the Commonwealth will automatically participate in the agreement, unless the chief law-enforcement officer provides the Virginia Department of Emergency Management with written notice of withdrawal from the agreement.

Patron - Bell

SB1030 Commonwealth Law-Enforcement Mutual Aid Agreement. Establishes the Commonwealth Law-Enforcement Mutual Aid agreement. Each local police and sheriff's department in the Commonwealth will automatically participate in the agreement, unless the chief law-enforcement officer provides the Virginia Department of Emergency Management with written notice of withdrawal from the agreement.

Patron - Hanger

Mines and Mining

Passed

HB2001 Biofuels Production Incentive Grant Program. Distinguishes between advanced biofuels that are made from winter cover crops, cellulose, hemicellulose, lignin oil, and algae and those standard biofuels that may be made from agricultural feedstocks such as corn. The program will award a \$0.125 per gallon grant for advanced biofuels and a \$0.10 per gallon grant for standard biofuels and requires the production of one million gallons per year for eligibility. This bill is identical to SB 1186.

Patron - Cosgrove

SB1186 Biofuels Production Incentive Grant Program. Distinguishes between advanced biofuels that are made from winter cover crops, cellulose, hemicellulose, lignin oil, and algae and those standard biofuels that may be made from agricultural feedstocks such as corn. The program will award a \$0.125 per gallon grant for advanced biofuels and a \$0.10 per gallon grant for standard biofuels and requires the production of one million gallons per year for eligibility. This bill is identical to HB 2001.

Patron - Hanger

SB1460 Replacement of water by gas well operators. Requires the operator of any gas well, whether a conventional or coalbed methane well, to replace any water supply contaminated or interrupted by an operation that is within 750 feet of a water well. Surface owners must allow gas well operators to sample water from such wells. Currently, these requirements

apply only to operators of coalbed methane wells and not to operators of conventional gas wells.

Patron - Puckett

Failed

HB1840 Gas and Oil Act; distance limitations of wells. Exempts wells from minimum distance limitations if the proposed drilling application includes a plan for plugging the well in advance of mining that would allow for the mine-through of the well. Permits to drill coalbed methane gas wells must also include a notice of stimulation if the proposed method of stimulation of the coal seam requires an amount of proppant greater than 10,000 pounds per foot of coal in the coal seam. If the applicant proposes to stimulate and the proposed method of stimulation of the coal seam requires an amount of proppant equal to or less than 10,000 pounds per foot of coal in the coal seam, then no consent shall be required of the coal operator.

Patron - Griffith

HB2235 Clean Energy Manufacturing Incentive Grant Program. Repeals the Solar Photovoltaic Manufacturing Incentive Grant Program and creates a program to provide financial incentives to companies that manufacture or assemble equipment, systems, or products used to produce renewable energy, nuclear energy, or energy efficiency products. To be eligible for a grant, the manufacturer must make a capital investment greater than \$50 million and create at least 200 full-time jobs. The program would be managed by the Director of the Department of Mines, Minerals and Energy.

Patron - Valentine

HB2518 Royalty payments from gas or oil drilling. Provides that property owners with an interest in oil or gas wells whose interest has been force-pooled shall receive a royalty payment of no less than one-eighth the value of production calculated at the point of the first arms-length sale. Such payment shall not be subject to reduction for operating or other costs.

Patron - Phillips

SB1204 Royalty payments from gas or oil drilling. Provides that property owners with an interest in oil or gas wells whose interest has been force-pooled shall receive a royalty payment of no less than one-eighth the value of production calculated at the point of the first arms-length sale. Such payment shall not be subject to reduction for operating or other costs.

Patron - Puckett

SB1215 Clean Energy Manufacturing Incentive Grant Program. Repeals the Solar Photovoltaic Manufacturing Incentive Grant Program and creates a program to provide financial incentives to companies that manufacture or assemble equipment, systems, or products used to produce renewable energy, nuclear energy, or energy efficiency products. To be eligible for a grant, the manufacturer must make a capital investment greater than \$50 million and create at least 200 full-time jobs. The program would be managed by the Director of the Department of Mines, Minerals and Energy.

Patron - Deeds

Motor Vehicles

Passed

HB1587 REAL ID Act; Commonwealth's participation. Provides that, with the exception of identification cards issued to employees of the Department of State Police and certain other law enforcement officers, the Commonwealth will not comply with any provision of the federal REAL ID Act that it determines would compromise the economic privacy, biometric data, or biometric samples of any resident of the Commonwealth. This bill is identical to SB 1431.

Patron - Marshall, R.G.

HB1619 Solicitation of contributions, distribution of materials, etc., in highway right-of-way. Grants Hanover and Spotsylvania Counties and the City of Falls Church the power to regulate and prohibit the solicitation of contributions and distribution of materials, etc., on highways located within their boundaries. The bill also grants Hanover County and the City of Falls Church the power to regulate such solicitations and distributions on public roadways and medians. This bill incorporates HB 1676.

Patron - Peace

HB1629 Loitering. Grants counties the same authority as cities and towns to prohibit loitering of pedestrians on bridges and highway rights-of-way. Local jurisdictions must obtain agreement from the Commonwealth Transportation Commissioner on placement of signs and shall be responsible for costs of production, installation, and maintenance of those signs. This bill incorporates HB 1675.

Patron - Cole

HB1653 Provisional driver's licenses. Provides for issuance of restricted driver's licenses, allowing the licensee to drive to and from institutions of higher education, to persons whose driver's licenses have been suspended for violations committed when operating a motor vehicle under a provisional driver's license. Presently, these restricted licenses may only be issued for the purpose of driving to and from work.

Patron - Carrico

HB1687 Vehicle sales subject to conditional financing. Spells out rights of dealers and buyers when purchases of vehicles are conditional upon financing of the transaction by an independent source. The bill further provides that if the dealer, seller, or purchaser exercises his statutory or contractual rights to cancel a purchaser's contract to buy a vehicle before application for title to the vehicle has been submitted to the Department in the name of the purchaser, the dealer has the right to possession of the vehicle without claim of possession by the purchaser within 24 hours of written or oral notice to the purchaser and without regard to the provisions of the Commercial Code, provided the dealer's right to possession is enforced in accordance with law and without breach of the peace.

Patron - Cosgrove

HB1694 Parking. Allows Fairfax and Prince William Counties and the towns of Clifton, Herndon, and Vienna to prohibit on-street parking of any truck more than 20 feet in length (other than commercial vehicles used by a public service company or by others working on its behalf, or commercial vehicles used in the provision of cable television service, or commercial vehicles used in the provision of propane gas

service) and any vehicle carrying commercial freight in plain view.

Patron - Albo

HB1706 T&M vehicle dealers, trailer dealers, and motorcycle dealers; buyer's orders; purchaser's on-line filing fees; and dealer's manual transaction fees. Provides for the collection of purchaser's on-line filing fees by T&M vehicle dealers, trailer dealers, and motorcycle dealers, and also the payment of dealer's manual transaction fees to DMV.

Patron - Oder

HB1722 Transfer of vehicle titles by operation of law. Clarifies procedures for transfer of vehicle titles by operation of law when vehicles are brought into Virginia from other states, some of which may not have provided for titling of the vehicles. This bill incorporates HB 2510. This bill is the same as SB 1415.

Patron - Cosgrove

HB1724 Trespassing vehicle; towing; local ordinances. Provides that local ordinances may require towing and recovery operators to obtain at the time the vehicle is towed, verbal approval of an agent designated in the ordinance. Further provides that local ordinances requiring "second signatures" before trespassing vehicles can be towed away only apply if the tow is performed during the normal business hours of the owner of the property from which the vehicle is towed. This bill is the same as SB 997.

Patron - Rust

HB1747 Board for Towing and Recovery Operators; public service towing services. Prohibits establishment of any regulatory scheme for public safety towing and recovery services. This bill is the same as SB 1404.

Patron - Pogge

HB1752 Weight limits for gravel trucks. Extends until July 1, 2010, the sunset on the statute granting trucks hauling gravel, sand, or crushed stone no more than 50 miles from origin to destination in counties that impose a severance tax on coal and gases the same weight limits prescribed for coal trucks. The bill also allows the same overweight permits for trucks hauling coal and coal byproducts to electricity-generation facilities as trucks hauling coal to a loading dock or railroad. The bill also sets an annual overweight vehicle fee for tank wagons. This bill incorporates HB 1622 and HB 2185.

Patron - Carrico

HB1773 Golf carts; operation on the highways. Allows the governing body of the Town of Irvington to authorize operation of golf carts on the highways of the Town, subject to limits of general law. This bill is the same as SB 911.

Patron - Pollard

HB1778 Motor vehicle dealers; coercion. Revises and clarifies responsibilities of manufacturers toward motor vehicle dealers in the event of termination of a dealer franchise. This bill is the same as SB 1410.

Patron - Athey

HB1782 Public school standardized driver education programs. Requires that public school standardized driver education programs in Planning District 8, for any student completing a driver education program on or after January 1, 2010, include an additional minimum 90-minute parent/student driver education component, as part of the in-classroom portion of the driver education curriculum, requiring the participation of the student's parent or guardian and emphasizing parental responsibilities regarding juvenile driver behavior,

juvenile driving restrictions pursuant to the Code of Virginia, and the dangers of driving while intoxicated and underage consumption of alcohol.

Patron - Albo

HB1826 Driver's licenses of minors. Provides for the suspension of the driver's license of any minor who has 10 or more unexcused absences from public school on consecutive school days.

Patron - Fralin

HB1837 Maximum speed limit on nonsurface treated highways for certain counties. Adds Albemarle County to the list of counties where the unposted maximum speed limit on nonsurface treated highways (dirt roads) is 35 miles per hour.

Patron - Toscano

HB1873 Motorcycle classifications. Provides for issuance by DMV of motorcycle classifications by mail to holders of Virginia driver's licenses if they are U.S. Armed Services members stationed outside Virginia, their spouses, or their dependents, if they can show proof of successful completion of a basic motorcycle rider course approved by the U.S. Armed Services and of their assignment outside Virginia.

Patron - Cosgrove

HB1876 Text messaging and emailing while driving. Prohibits operation of a motor vehicle, on the highways in the Commonwealth while using any handheld personal communications device to manually enter multiple letters or text or to read a text message. This bill provides exemptions for the use of global positioning systems (GPS), reading caller identification information, and using a wireless telecommunications device to report an emergency. The provisions of this bill do not apply to operators of emergency vehicles. This bill incorporates HB 1615 and HB 2380.

Patron - Cosgrove

HB1905 Golf carts. Allows operation of golf carts and utility vehicles on secondary highway system components that have a posted speed limit of no more than 35 miles per hour and that are within three miles of a motor speedway with a seating capacity of at least 25,000 but less than 90,000 on the same day as any race or race-related event conducted on that speedway.

Patron - Armstrong

HB1906 Motorcycle brake lights. Allows motorcycles to be equipped with a means of varying the brightness of the vehicle's brake light for a duration of not more than five seconds upon application of the vehicle's brakes.

Patron - Armstrong

HB2008 Electric personal assistive mobility devices, electrically powered toy vehicles, bicycles, electric power-assisted bicycles, and mopeds. Prohibits operation of electric personal assistive mobility devices, electrically powered toy vehicles, bicycles, electric power-assisted bicycles, and mopeds on any Interstate Highway System component.

Patron - Brink

HB2073 Weight limit extension; vehicles using an auxiliary power unit or idle reduction technology. Extends weight limit for motor vehicles using an auxiliary power unit or other form of idle reduction technology by an additional 400 pounds.

Patron - Scott, E.T.

HB2075 Overweight/oversize vehicle permits. Provides that violation of terms and conditions of excessive size and weight permits shall not invalidate the weight allowed on such permit unless (i) the permit vehicle is operating off the route listed on the permit, (ii) the vehicle has fewer axles than required by the permit, (iii) the vehicle has less axle spacing than required by the permit when measured longitudinally from the center of the axle to center axle with any fraction of a foot rounded to the next highest foot, or (iv) the vehicle is transporting multiple items not allowed by the permit.

Patron - Scott, E.T.

HB2169 Board of Towing and Recovery Operators. Revises the composition of the Board and provides that the Superintendent of State Police (or his designee) will be chairman of the Board. The bill also requires the Board to make an annual report to the Governor, the General Assembly, the Superintendent of State Police, and postpones the date by which towing and recovery business must be licensed by the Board and by which tow truck drivers must have tow truck driver authorization documents issued by the Board from January 1, 2009, to July 1, 2009. Additionally, license fees charged by the Board are prohibited from being more than required to generate sufficient revenue to cover the Board's costs. Licensed operators whose businesses generate less than \$10,000 per year are not required to accept credit cards. Finally, the bill provides a mechanism for suspension, revocation, and refusal to renew license or tow truck driver authorization documents issued by the Board.

Patron - Abbitt

HB2182 Local vehicle license fees and taxes; disabled veterans and their surviving spouses. Amends present law to allow localities to exempt disabled veterans, non-disabled veterans, and the surviving spouses of veterans from local vehicle license fees and taxes. This bill conflicts with SB 1200.

Patron - Phillips

HB2233 Electronic filings; Department of Motor Vehicles. Provides that DMV may require certain filings or submissions be made electronically, including any required monthly updates from insurance companies and requests for refunds of certain fuel.

Patron - Marsden

HB2238 Transport of hazardous materials by commercial motor vehicle; out-of-service order. Extends disqualification for violation of an out-of-service order to any person operating a commercial vehicle used to transport hazardous materials.

Patron - Valentine

HB2317 Vehicle safety inspections; use of electronic forms. Requires State Police on or before December 1, 2010, to accept data required to be submitted to them by official inspection stations in electronic form.

Patron - Carrico

HB2428 Peddling along public roads. Adds Loudoun County to the list of localities that may adopt ordinances regulating peddling, etc., along public roads.

Patron - May

HB2485 Vehicle safety inspections. Codifies exceptions to vehicle safety inspection requirements set forth in a gubernatorial proclamation of July 2006. This bill is the same as SB 1027.

Patron - Nichols

HB2505 Towing and recovery licensure. Extends the date from January 1, 2009, until July 1, 2009, for which a person engaging in or offering to engage in towing needs a valid license from the Board; emergency. This bill is the same as SB 1449.

Patron - Howell, A.T.

HB2533 Studded tires. Allows emergency vehicles to operate with studded tires, etc., year-round.

Patron - Wright

HB2534 Special license plates. Authorizes the issuance of special license plates for veterans of Operation Enduring Freedom, members of the Virginia State Defense Force, and "tobacco heritage" plates for trucks. Repeals authorizations for issuance of special license plates for which the required minimum number of prepaid orders was never received: for supporters of the Lake Taylor Transitional Care Hospital Foundation and for supporters of the National D-Day Memorial Foundation. This bill incorporates HB 1583, HB 1586, HB 1772, and HB 2392.

Patron - Scott, E.T.

HB2571 Restricted license eligibility while license is suspended. Allows a court to issue a restricted license to a person whose license is suspended under certain circumstances. This bill is identical to SB 1343.

Patron - BaCote

HB2596 Washington Metropolitan Area Transit Authority Compact. Amends the Washington Metropolitan Area Transit Authority Compact to comply with certain federal requirements; increases the number of directors on the WMATA Board by adding two federal appointees contingent upon certain federal grants; establishes an Office of the Inspector General and provides for the duties of such office; and requires that certain payments made to WMATA to match certain federal funds be made from a dedicated funding source.

Patron - Ebbin

SB39 Traffic accident reports. Increases from \$1,000 to \$1,500 the damage threshold at which traffic accidents become "reportable."

Patron - Deeds

SB817 Special license plates. Authorizes the issuance of special license plates promoting tourism and conservation on the Northern Neck, for supporters of the Choose Life Virginia Fund, and for supporters of the Shenandoah National Park Association. Repeals § 46.2-749.49:1 of the Code of Virginia, relating to special license plates for supporters of the Shenandoah National Park Association. This bill incorporates SB 828, SB 862, SB 1054, SB 1108, SB 1209, SB 1488, SB 1491, and SB 1526.

Patron - Stuart

SB882 Regulation of parking on public highways. Adds Stafford County to the list of counties and towns that may by ordinance regulate the parking of (i) watercraft, (ii) boat trailers, (iii) motor homes, and (iv) camping trailers. The bill also replaces several circumlocutions with the names of the localities to which those circumlocutions apply.

Patron - Stuart

SB899 Solicitation of contributions, distribution of materials, etc., in highway right-of-way. Grants Hanover and Spotsylvania Counties and the City of Falls Church the power to regulate and prohibit the solicitation of contributions and distribution of materials, etc., on highways located within their

boundaries. The bill also grants Hanover County and the City of Falls Church the power to regulate such solicitations and distributions on public roadways and medians.

Patron - McDougle

SB911 Golf carts; operation on the highways. Allows the governing body of the Town of Irvington to authorize operation of golf carts on the highways of the Town, subject to limits of general law. This bill is identical to HB 1773.

Patron - Stuart

SB932 Washington Metropolitan Area Transit Commission. Provides that the Mayor of the District of Columbia will appoint the member to represent the District of Columbia on the Commission from a District of Columbia agency with oversight of matters relating to the Commission.

Patron - Ticer

SB974 Golf carts; crossing highways in Colonial Beach. Amends the provision allowing golf carts to cross highways with 35 mph speed limits at traffic lights in Colonial Beach by removing the reference to traffic lights.

Patron - Stuart

SB992 Red warning lights on vehicles. Updates the existing authorization for use of red warning lights on security vehicles of the Newport News Shipbuilding and Drydock Company by changing the name to Northrop Grumman Shipbuilding, Inc. Also, an obsolete reference to "Tultex Corporation" is deleted.

Patron - Miller, J.C.

SB997 Trespassing vehicle; towing; local ordinances. Provides that local ordinances may require towing and recovery operators to obtain at the time the vehicle is towed, verbal approval of an agent designated in the ordinance. Further provides that local ordinances requiring "second signatures" before trespassing vehicles can be towed away only apply if the tow is performed during the normal business hours of the owner of the property from which the vehicle is towed. This bill is identical to HB 1724.

Patron - Miller, J.C.

SB1027 Vehicle safety inspections. Codifies exceptions to vehicle safety inspection requirements set forth in a gubernatorial proclamation of July 2006. This bill is identical to HB 2485.

Patron - Hanger

SB1046 Obtaining licenses and identification cards; federal REAL ID Act. Amends provisions for obtaining licenses to comply with federal REAL ID Act requirements.

Patron - Miller, Y.B.

SB1159 Safety inspection stickers. Extends from 72 hours to five business days the amount of time a person serving in the armed forces of the U.S. outside Virginia has to get his vehicle inspected upon returning to the Commonwealth.

Patron - Saslaw

SB1200 Local vehicle license fees and taxes; disabled veterans and their surviving spouses. Amends current law that allows localities to exempt disabled veterans and the surviving spouses of veterans from local vehicle license fees and taxes so as to allow localities to grant this exemption to all veterans and their surviving spouses. This bill conflicts with HB 2182.

Patron - Puckett

SB1206 Reciprocal agreements with other states; penalties for violations. Provides that any operator of a motor vehicle not in compliance with the federal Unified Carrier Registration System shall be guilty of a Class 4 misdemeanor.

Patron - Puckett

SB1326 Obtaining salvage certificates or certificates of title to certain vehicles. Provides that whenever an insurance company or its agent applies for the registration of or a new certificate of title for a motor vehicle, trailer, or semitrailer and is unable to present a certificate of title, DMV may receive the application along with an affidavit indicating that the vehicle was acquired as the result of the claims process and the efforts made by the insurance company or its agent to obtain a certificate of title from the previous owner. The bill also allows DMV to charge a fee of no more than \$25 for such transactions.

Patron - McEachin

SB1343 Restricted license eligibility while license is suspended. Allows a court to issue a restricted license to a person whose license is suspended under certain circumstances. This bill is identical to HB 2571.

Patron - Reynolds

SB1404 Board for Towing and Recovery Operators; public service towing services. Prohibits establishment of any regulatory scheme for public safety towing and recovery services. This bill is identical to HB 1747.

Patron - Norment

SB1410 Motor vehicle dealers; coercion. Revises and clarifies responsibilities of manufacturers toward motor vehicle dealers in the event of termination of a dealer franchise. This bill is identical to HB 1778.

Patron - Norment

SB1415 Sale in Virginia of vehicles repossessed in another state. Provides that any motor vehicle dealer who purchases a vehicle titled in another state and was repossessed may sell that vehicle in Virginia without obtaining a Virginia title for the vehicle from Virginia or the state in which the vehicle is titled, provided the motor vehicle dealer has an affidavit of repossession or similar document showing the lawful repossession. This bill is identical to HB 1722.

Patron - Blevins

SB1431 REAL ID Act; Commonwealth's participation. Provides that, with the exception of identification cards issued to employees of the Department of State Police and certain other law enforcement officers, the Commonwealth will not comply with any provision of the federal REAL ID Act that it determines would compromise the economic privacy, biometric data, or biometric samples of any resident of the Commonwealth. This bill is identical to HB 1587.

Patron - Cuccinelli

SB1449 Towing and recovery licensure. Extends the date from January 1, 2009, until July 1, 2009, for which a person engaging in or offering to engage in towing needs a valid license from the Board; emergency. This bill is identical to HB 2505.

Patron - Wagner

SB1511 Washington Metropolitan Area Transit Authority Compact. Amends the Washington Metropolitan Area Transit Authority Compact to comply with certain federal requirements; increases the number of directors on the WMATA Board by adding two federal government appointees;

establishes an Office of the Inspector General and provides for the duties of such office; and requires that certain payments made to WMATA to match certain federal funds be made from a dedicated funding source.

Patron - Whipple

Failed

HB1583 Special truck license plates celebrating Virginia's tobacco heritage. Authorizes the issuance of "tobacco heritage" special license plates for trucks. This bill was incorporated into HB 2534.

Patron - Wright

HB1586 Special license plates; expired authorizations. Repeals authorizations for issuance of special license plates for which the required minimum number of prepaid orders was never received. The affected plates are those for supporters of the Lake Taylor Transitional Care Hospital Foundation and those for supporters of the National D-Day Memorial Foundation. This bill was incorporated into HB 2534.

Patron - Landes

HB1614 Possession of open container of alcohol in a motor vehicle; penalty. Provides that no person shall possess an alcoholic beverage in the passenger area of a motor vehicle upon a public highway of the Commonwealth in other than the manufacturer's unopened, original container. The bill punishes violators with a civil penalty of \$25.

Patron - Purkey

HB1615 Text messaging while driving. Prohibits operation of a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth while using any wireless telecommunication device for the purpose of sending, receiving, or reading any text message. The prohibition, however, does not extend to entering names or numbers for making telephone calls and does not apply to the operator of emergency vehicles. Violations are punishable by fines of \$20 for first offenses and \$50 for subsequent offenses. This bill was incorporated into HB 1876.

Patron - Howell, A.T.

HB1622 Weight limits for gravel trucks. Repeals the July 1, 2009, sunset on the statute granting trucks hauling gravel, sand, or crushed stone no more than 50 miles from origin to destination in counties that impose a severance tax on coal and gases the same weight limits prescribed for coal trucks. This bill was incorporated into HB 1752.

Patron - Bowling

HB1626 Special license plates; supporters of the Friends of the Blue Ridge Parkway, Inc. Authorizes the issuance of revenue-sharing special license plates to members and supporters of the Friends of the Blue Ridge Parkway, Inc. The annual surcharge for these plates would be \$25, instead of the standard \$10 for most other nonrevenue-sharing special license plates. For each set of plates issued (after the first 1,000 sets), \$15 would go to the Friends of the Blue Ridge Parkway, Inc. to support its operation and programs in Virginia.

Patron - Ware, O.

HB1627 Motor carrier liability insurance. Reduces the minimum amount of liability insurance required of operators of "trolleys" to \$1.5 million.

Patron - Cole

HB1654 Examination of driver's licenses believed to be incompetent. Limits the "relatives" that may report incompetent drivers to DMV without DMV's identifying the source of the report to the licensee to the licensee's spouse, parent, child, or stepchild.

Patron - Carrico

HB1659 Use of wireless telecommunications devices while driving. Prohibits use of wireless telecommunications devices, whether handheld or otherwise, while operating a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth, except in an emergency.

Patron - Howell, A.T.

HB1675 Loitering. Grants counties the same authority as cities and towns to prohibit loitering of pedestrians on bridges and highway rights-of-way. This bill was incorporated into HB 1629.

Patron - Orrock

HB1676 Distribution of handbills, etc., on highways. Grants Spotsylvania County the same power granted Arlington and Henrico Counties, the City of Richmond, and the Town of Vienna to prohibit distribution of handbills, etc., on highways. This bill has been incorporated into HB 1619.

Patron - Orrock

HB1690 Special ID cards. Allows persons at least 70 years old to exchange Virginia driver's licenses for special ID cards without having to submit birth certificates.

Patron - Tata

HB1701 Special license plates; SEAFOOD LOVER. Authorizes the issuance of revenue-sharing special license plates bearing the legend SEAFOOD LOVER. For each set of plates issued (after the first 1,000 sets), \$15 will be paid into the Virginia Marine Products Fund, established pursuant to § 3.2-2705 of the Code of Virginia, and used as therein provided.

Patron - Lewis

HB1717 Special license plates; Special Olympics. Authorizes the issuance of special license plates for supporters of Special Olympics.

Patron - Cox

HB1731 Vehicle license plates. Provides for display of one license plate on vehicles. This bill is identical to SB 937.

Patron - Cole

HB1769 Use of mobile telephone and other wireless electronic devices while driving. Provides that, with certain exceptions, no person may use a mobile telephone or other wireless electronic telecommunications device while operating a moving motor vehicle on any public highway in the Commonwealth unless such mobile telephone or other wireless electronic telecommunications device is equipped with a hands-free accessory.

Patron - Dance

HB1772 Special license plates; members of the Virginia State Defense Force. Authorizes the issuance of special license plates to members of the Virginia State Defense Force. These plates are not subject to the standard 350 minimum pre-paid order requirement. This bill was incorporated into HB 2534.

Patron - Pollard

HB1817 Speed limits. Provides for a 70 mph speed limit on (i) I-295 between Williamsburg Road in Henrico County and the I-295/I-95 interchange in Prince George County and (ii) on I-95 between the I-295/I-95 interchange in Prince George County and North Carolina.

Patron - Morrissey

HB1824 Branding of titles; repaired or rebuilt vehicles. Provides that the title for a repaired or rebuilt vehicle shall be branded with the term "Repaired" or "Rebuilt" printed on the title. This bill is identical to SB 1370.

Patron - Wright

HB1860 Impoundment of motor vehicle for driving without an operator's license. Provides that a person who is found to be driving a motor vehicle without an operator's license, having been previously convicted of such an offense, shall have his motor vehicle impounded. This bill was incorporated into HB 2021.

Patron - Shannon

HB1870 Motorcycle riding abreast. Provides that it shall be a traffic infraction punishable by a \$25 civil penalty for two motorcycles to travel abreast in a lane designated for one vehicle.

Patron - Janis

HB1955 Use of mobile telephone and other wireless electronic devices while driving. Provides that, with certain exceptions, no person may use a mobile telephone or other wireless electronic telecommunications device while operating a moving motor vehicle on any public highway in the Commonwealth unless such mobile telephone or other wireless electronic telecommunications device is equipped with a hands-free accessory.

Patron - Mathieson

HB1987 Suspension of driver's license for failure to pay jail fees. Allows for the suspension of a driver's license for failure to pay jail fees related to a prisoner's keep.

Patron - Miller, P.J.

HB2011 Pedestrians; railroad grade crossings. Prohibits crossing of railroad grade crossings by pedestrians using public highways if a train or locomotive is present or approaching.

Patron - Ebbin

HB2021 Impoundment of motor vehicle for driving without an operator's license. Provides that a person who is found to be driving a motor vehicle without an operator's license, having been previously convicted of such an offense, shall have his motor vehicle impounded for 30 days. Persons arrested for failure to have a valid operator's license who are under 18 years of age or whose licenses have been expired for less than one year are exempted from impoundment. The bill contains provisions to allow a person to retrieve his vehicle upon reinstatement of his driving privilege. This bill incorporates HB 1860.

Patron - Rust

HB2036 Vehicle safety inspections; age of tires. Prohibits issuance of a vehicle safety inspection approval sticker for any vehicle equipped with tires that are more than 10 years old.

Patron - Iaquinto

HB2100 Special license plates; clean special fuel vehicles; fee. Eliminates the annual \$25 surcharge for issuance

of clean special fuel vehicle license plates and provides that the fee for issuance of these plates will be the same as that charged for standard state license plates. The bill also repeals the provision that had dedicated the revenues from the \$25 surcharge to HOV lane enforcement.

Patron - Gear

HB2140 Learner's permits. Requires DMV to refuse an application for a learner's permit by a minor who has had more than five unexcused absences from school in the six months of school immediately preceding the application.

Patron - Miller, J.H.

HB2183 All-terrain vehicles; registration; limited over-the-road operation. Allows over-the-road operation of all-terrain vehicles for distances of no more than two miles between one all-terrain vehicle trail and another. Operators must have driver's licenses with motorcycle classifications and must obey all rules of the road applicable to motorcycles.

Patron - Phillips

HB2185 Weight limits for gravel trucks. Extends for two more years the July 1, 2009, sunset on the statute granting trucks hauling gravel, sand, or crushed stone no more than 50 miles from origin to destination in counties that impose a severance tax on coal and gases, the same weight limits prescribed for coal trucks. This bill was incorporated into HB 1752.

Patron - Phillips

HB2210 Enforcement of traffic light signals. Allows law-enforcement officers to arrest or detain persons who violate traffic light signals even if the officers are not in uniform at the time.

Patron - Jones

HB2231 Parking. Adds pickup and panel trucks to the list of vehicles that Fairfax and Prince William Counties and Clifton, Herndon, and Vienna may prohibit from parking on streets in areas zoned for residential use. The bill also eliminates population bracket circumlocutions and names the specific localities to which those brackets were intended to apply.

Patron - Marsden

HB2236 Private security officer nomenclature. Changes the words "private security guard" to "private security officer" in three sections of Title 46.2.

Patron - Valentine

HB2253 Safety belts. Makes non-use of motor vehicle safety belts a "primary offense." This bill is identical to HB 2339, SB 970 and SB 1161.

Patron - Barlow

HB2254 Special license plates; members and supporters of the International Association of Fire Fighters. Authorizes the issuance of revenue-sharing special license plates to members and supporters of the International Association of Fire Fighters. The annual surcharge for these plates would be \$25, instead of the standard \$10 for most other non-revenue-sharing special license plates. For each set of plates issued (after the first 1,000 sets), \$15 will go to the Virginia Professional Fire Fighters Charitable Foundation.

Patron - Nichols

HB2273 Driver's license examination. Requires the DMV Commissioner, on or before January 1, 2010, to significantly strengthen the Virginia driver's license examination. Such improvements are to include (i) overcorrection; (ii) trailer connection requirements and driving techniques associated with towing of light- to medium-duty trailers; and (iii) recogni-

tion of driver hand signals, especially while driving in rural areas.

Patron - Poindexter

HB2276 Board of Towing and Recovery Operators. Exempts towing and recovery operators, businesses, and vehicles operating, registered in, or principally garaged in a locality imposing a coal severance tax from the powers and regulations of the Board of Towing and Recovery Operators.

Patron - Bowling

HB2319 Overload and overweight permits; fees. Revises the fees for vehicle overload and overweight permits to conform to recommendations of the Virginia Transportation Research Council.

Patron - Marshall, R.G.

HB2339 Safety belts. Makes non-use of motor vehicle safety belts a "primary offense." This bill is identical to HB 2253, SB 970 and SB 1161.

Patron - Amundson

HB2380 Text messaging and emailing while driving. Prohibits operation of a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth while using any wireless telecommunications device for the purpose of composing or sending any text message or email. This bill provides exemptions for persons lawfully parked or stopped, the use of global positioning systems (GPS), and the use of a wireless telecommunications device to report an emergency. The provisions of this bill do not apply to operators of emergency vehicles. This bill was incorporated into HB 1876.

Patron - Scott, J.M.

HB2384 Safety belt ordinances. Allows the governing body of any county, city, or town to enact a local safety belt ordinance not inconsistent with the state law on the same subject. Presently, this ability is limited to the City of Lynchburg.

Patron - Scott, J.M.

HB2386 Pedestrians and drivers; responsibilities. Sets out the responsibilities of pedestrians and drivers at marked and unmarked crosswalks. This bill incorporates HB 2520.

Patron - Ebbin

HB2392 Special license plates; veterans of Operation Enduring Freedom. Authorizes the issuance of special license plates for veterans of Operation Enduring Freedom. These plates are not subject to the standard 350 minimum pre-paid order requirement. This bill was incorporated into HB 2534.

Patron - Bell

HB2399 Special license plates; Purple Heart recipients. Allows surviving parents of Purple Heart recipients to be issued Purple Heart license plates if the person to whom the decoration was awarded has no unremarried surviving spouse.

Patron - Bell

HB2448 Special license plates; D.C. United soccer team. Authorizes the issuance of special license plates to supporters of the D.C. United soccer team.

Patron - Sickles

HB2510 Sale in Virginia of vehicles repossessed in another state. Provides that a person who purchases in another state a vehicle repossessed in that state, may sell that vehicle in Virginia without obtaining a Virginia title, provided the person

who purchased the vehicle in another state has in his possession an affidavit of repossession or similar document, approved by the state in which the vehicle was purchased, attesting to the lawful repossession. This bill was incorporated into HB 1722.

Patron - Marsden

HB2520 Pedestrians and drivers; responsibilities. Sets out the responsibilities of pedestrians and drivers at marked and unmarked crosswalks. This bill was incorporated into HB 2386.

Patron - Shannon

HB2542 "Move-over" law. Revises the class of stationary vehicles for which motorists must, if safe to do so, move over by providing a new definition of "emergency vehicle."

Patron - Valentine

HB2548 Learner's permits. Requires applicants for a learner's permit or renewal thereof to prove their legal presence in the U.S.

Patron - Albo

HB2556 Special license plates; disabled veterans. Amends the definition of "disabled veteran" in § 46.2-100 to allow any veteran who has a service-connected disability that would qualify him for receiving disabled parking license plates to receive disabled veteran license plates.

Patron - Ingram

HB2561 Motor vehicles; suspension of license for failure or refusal to pay fines or costs. Allows for the suspension of a defendant's driver's license for failure or refusal to pay fines and costs 15 days after sentencing. Currently, the court is authorized to suspend the license for such failure or refusal 15 days after conviction; however, it is during the sentencing phase that the court assesses whether fines and costs have been paid.

Patron - Miller, J.H.

HB2605 Driver training schools; regulation by DMV. Transfers to the Department of Motor Vehicles (DMV) responsibility for driver training programs established for the public school system by the Department of Education.

Patron - Hugo

SB801 Special license plates; supporters of certain programs for expectant mothers. Authorizes the issuance of special "revenue sharing" license plates bearing the legend: CHOOSE LIFE. These plates would be subject to an annual fee of \$25 in addition to the prescribed fee for state license plates. For each such \$25 fee collected in excess of 1,000 registrations, \$15 would be paid annually to the locality in which the vehicle is registered and distributed to nongovernmental, not-for-profit agencies that provide counseling and other services intended to meet the needs of expectant mothers who are committed to placing their children for adoption. No funds under this bill would be distributed to any agency that is involved or associated with abortion activities, including, but not necessarily limited to, counseling for or referrals to abortion clinics, providing medical abortion-related procedures, or pro-abortion advertising. No funds under this bill would be distributed to any agency that charges for services received.

Patron - Cuccinelli

SB803 Off-road motorcycles. Prohibits operation of off-road motorcycles on the highways.

Patron - Miller, Y.B.

SB804 Special license plates; supporters of the Virginia Kids Eat Free program. Authorizes the issuance of revenue-sharing special license plates to supporters of the Virginia Kids Eat Free program. The annual surcharge for these plates would be \$25, instead of the standard \$10 for most other non-revenue-sharing special license plates. For each set of plates issued (after the first 1,000 sets), \$15 will go to Virginia Kids Eat Free, Inc., to support its operation and programs in Virginia.

Patron - Lucas

SB805 Special license plates; National Ovarian Cancer Coalition. Authorizes the issuance of revenue-sharing special license plates for supporters of the National Ovarian Cancer Coalition.

Patron - Ticer

SB809 Special license plates; members and supporters of the International Association of Fire Fighters. Authorizes the issuance of revenue-sharing special license plates to members and supporters of the International Association of Fire Fighters. The annual surcharge for these plates would be \$25, instead of the standard \$10 for most other nonrevenue-sharing special license plates. For each set of plates issued (after the first 1,000 sets), \$15 will go to the International Association of Fire Fighters to support its operation and programs in Virginia.

Patron - Puller

SB828 Special license plates; supporters of the Friends of the Blue Ridge Parkway, Inc. Authorizes the issuance of revenue-sharing special license plates to members and supporters of the Friends of the Blue Ridge Parkway, Inc. The annual surcharge for these plates would be \$25, instead of the standard \$10 for most other nonrevenue-sharing special license plates. For each set of plates issued (after the first 1,000 sets), \$15 would go to the Friends of the Blue Ridge Parkway, Inc. to support its operation and programs in Virginia. This bill was incorporated into SB 817.

Patron - Smith

SB841 REAL ID Act and citizens' privacy. Prohibits DMV or any other agency of the Commonwealth from using any type of computer chip or radio-frequency identification on licenses and identification cards and from sharing certain data with other states or with any federal government agency. Further provides that no biometric data will be gathered or retained.

Patron - Cuccinelli

SB846 Special license plates; members and supporters of the International Association of Fire Fighters. Authorizes the issuance of revenue-sharing special license plates to members and supporters of the International Association of Fire Fighters. The annual surcharge for these plates would be \$25, instead of the standard \$10 for most other nonrevenue-sharing special license plates. For each set of plates issued (after the first 1,000 sets), \$15 will go to the Virginia Professional Fire Fighters Charitable Foundation.

Patron - Puller

SB847 Emergency vehicles proceeding past red lights. Provides that emergency vehicles proceeding past any device indicating moving traffic shall stop must maintain a reduced speed, must display flashing lights, and must sound a siren.

Patron - Puller