



DIOCESE OF ARLINGTON · DIOCESE OF RICHMOND
Representing the Virginia Catholic Bishops in Public Policy Matters

Session featured gains on religious liberty, school choice, and protections for domestic-violence and human-trafficking victims

The 2013 Virginia General Assembly session ended on February 23. The Virginia Catholic Conference thanks all who participated in the Email Advocacy Network and attended Catholic Advocacy Day, which was blessed with strong participation. Below is a summary of how the Conference's priority initiatives fared.

PROTECTING UNBORN LIFE

Defunding Abortion of Disabled Children. Under the Medicaid program, the federal government funds abortions when the life of the woman is at risk and in cases of rape and incest, and in no other cases (called the Hyde policy). States are permitted but not required to spend their own funds for abortions that fall outside these three categories. Most states do not subsidize abortions beyond the Hyde circumstances, but Virginia does (by funding abortions in cases of fetal “physical deformity” and “mental deficiency”). Senator Garrett offered a bill that would have banned state funding of Medicaid abortions that fall outside the Hyde policy. Unfortunately, it was defeated in a Senate committee. The Conference supported the bill and opposes all abortion funding.

Regulating Abortion Facilities. Conference-supported legislation enacted in 2011 required the state Board of Health to regulate the health and safety of abortion facilities. Temporary regulations, promulgated by the Board pursuant to the 2011 legislation, instituted mandatory building codes and sanitary compliance standards to protect the safety of women in these facilities. However, this year Conference-opposed bills proposed by Senator Herring and Delegate Hope sought to take away the Board of Health's regulatory power. Both bills were defeated in their respective committees. The Conference also opposed bills offered by Senator Herring and Delegate Sickles that attempted to “grandfather” existing abortion facilities to insulate them from compliance with the regulations. These bills were also defeated in committees. The Conference opposes all attempts to strip away regulation of the Commonwealth's abortion industry.

Informed Consent. Virginia’s strong informed consent law requires a transabdominal ultrasound prior to an abortion. Mothers are also given the opportunity to view the ultrasound image, to receive a printed copy of the image, and to hear fetal heart tones. The Conference opposed bills attempting to remove or weaken the transabdominal ultrasound requirement. These bills – offered by Senators Northam and Favola and Delegates Filler-Corn and Kory – were all defeated in their respective committees.

DEATH PENALTY

The Conference supported Senator Howell’s legislation to direct the Joint Legislative Audit and Review Commission to study the total cost of the death penalty in the state. Many other states have conducted similar cost studies and determined that cases charged as capital cases are often three times more expensive than cases resulting in life in prison. Unfortunately, the bill did not pass out of committee. The Conference supports ending the use of capital punishment and endorsed the proposed study because it would help those on both sides of the debate better understand the death penalty’s impact.

GUN SAFETY

Conference-supported legislation attempted to close the “gun-show loophole.” Currently, at Virginia gun shows, licensed gun dealers must perform background checks to ensure that purchasers are not prohibited from owning firearms. Private sellers, however, do not have to perform background checks on potential purchasers. The legislation would have made Virginia law consistent by requiring background checks whether the seller was a licensed firearm dealer or a private citizen, but it was defeated in committee. The Conference supports requiring background checks on all sales and transfers of firearms to help ensure public safety and responsible gun ownership.

RELIGIOUS LIBERTY

The General Assembly passed Conference-supported legislation (patroned by Senator Obenshain and Delegate Gilbert) to prohibit the Commonwealth’s public colleges and universities from discriminating against student groups’ ability to operate based on religious, political, or philosophical beliefs. This measure ensures that religious and political student organizations at Virginia’s public institutions of higher education can, in accord with their respective missions, (1) order their internal affairs, (2) select their leaders and members, (3) define their doctrines, and (4) resolve their disputes.

MARRIAGE

In 2006, Virginia voters overwhelmingly approved a constitutional amendment defining marriage as the legal union between a man and a woman. A bill offered this year, however, sought to repeal the Commonwealth’s marriage amendment. Fortunately, a

House committee blocked this measure. The Conference opposes all efforts to redefine marriage.

COMBATING HUMAN TRAFFICKING

Conference-supported legislation to require truck stops to post the National Human Trafficking Hotline number passed the Senate unanimously after passing the House. Another Conference-endorsed measure would have provided victims of human trafficking who were convicted of prostitution between the ages of 18 and 21 the opportunity to have their records expunged. The bill was defeated in a House subcommittee, however. Two other bills that would have granted the expungement of prostitution charges for victims of human trafficking were referred to the Crime Commission for further study.

PARENTAL CHOICE IN EDUCATION

The General Assembly approved several important technical changes to the Education Improvement Scholarship program to assist scholarship foundations in administering the program. Supported by the Conference and the McDonnell Administration, the program (originally enacted last year) establishes a tax credit for K-12 scholarship donations by individuals and businesses. Patroned by Delegate Massie and Senator Stanley, this year's legislation includes a provision that will extend the tax credit through 2028.

IMMIGRATION POLICY

Conference-supported legislation was proposed in both chambers to grant in-state tuition status to immigrant children who arrived in the United States before their 16th birthday and have been granted Deferred Action status by the federal government. [Deferred Action status allows children who entered the United States before their 16th birthday and have never committed a crime to remain lawfully present in the U.S. for a renewable period of two years.] This legislation would not have granted legal status, but would have allowed qualified students the same opportunity as their peers to access higher education at Virginia's public colleges and universities. Unfortunately, the House and Senate bills both failed to move out of committee.

MEDICAID EXPANSION

The House and Senate agreed to a budget amendment to establish a Medicaid Innovation and Reform Commission which will oversee state Medicaid reform before any expansion of Medicaid can occur in the Commonwealth. Proposed reforms would reduce costs and improve efficiency. After the Commission finds that the reforms are implemented and effective, expansion can begin on or after July 1, 2014. Medicaid coverage could be extended to some 400,000 additional low-income Virginians at or below 133% of the federal poverty level (\$30,657 for a family of four in 2012). During the recent and

ongoing national debates on health care reform, the U.S. Conference of Catholic Bishops (USCCB) has consistently called for access to quality, affordable health care that respects the life, health, and conscience rights of all. Consistent with the USCCB's advocacy, the Conference supports Medicaid expansion because of the critical services it would provide to many of Virginia's poorest residents and because it would help the vital work of the Commonwealth's Catholic hospitals. The Conference also continues to strongly oppose two other aspects of the new federal health care law: (1) Its inadequate abortion funding restrictions, and (2) its coercive impact on many employers who object to covering abortion-inducing drugs, sterilizations, and contraceptives.

DISABILITIES

The enacted budget includes much-needed funds for programs serving Virginians with disabilities, including \$6 million in additional appropriations for the Part C/Early Intervention program, which has a current funding shortfall of \$8.5 million. This program provides services to infants and toddlers with developmental delays, including speech, occupational, and physical therapy. Additionally, the budget restores the income-eligibility threshold for Medicaid long-term care services to 300% of Supplemental Security Income (\$2,094/month in 2012), allowing individuals with disabilities to remain in their present housing arrangements. The eligibility threshold was scheduled to drop to 267% of SSI. The budget also added 200 waiver slots for individuals with intellectual disabilities and 50 waiver slots for individuals with developmental disabilities. These waivers allow individuals with special needs to receive the care they need in the most integrative setting possible.

URANIUM MINING

The Conference opposed legislation to rescind Virginia's longstanding ban on uranium mining. The proposed measure would have allowed Virginia Uranium, a mining company, to mine and mill uranium found at Coles Hill in Pittsylvania County. Such a proposal sparked numerous concerns about adverse environmental effects and widespread opposition from communities and businesses near the proposed mine. The legislation was withdrawn prior to the hearing.

HOUSING

Early Lease Termination for Victims of Domestic Violence. Legislation allowing victims of domestic violence or sexual assault to terminate their leases under specific circumstances passed the General Assembly. The Conference supported the bill because it will protect victims' safety and help maintain peaceful homes for families.

Prohibiting Discrimination Based on Lawful Income. The Conference supported a bill that would have prohibited discrimination on the basis of lawful income under Virginia's Fair Housing Act. In Virginia, some tenants who receive lawful income (e.g., Social

Security, vouchers, and child support) are discriminated against and have difficulty finding housing. The Senate committee voted to send the bill to the Virginia Housing Commission for further study. The Conference will participate in discussions on the measure with the Commission later this year.

RESTORING VOTING RIGHTS

A Conference-supported constitutional-amendment proposal sought to automatically restore voting rights for individuals convicted of non-violent felonies upon completion of their sentences. The resolution was approved by the full Senate. Unfortunately, a House subcommittee defeated the measure.

The Virginia Catholic Conference is the public policy agency of Virginia's two bishops and their dioceses.