

VIRGINIA ACTS OF ASSEMBLY - 2025 SESSION

CHAPTER 94

An Act to amend and reenact § 54.1-310 of the Code of Virginia, relating to Board for Professional and Occupational Regulation; powers and duties.

[H 2553]

Approved March 19, 2025

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-310 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-310. Powers and duties of Board.

A. The Board shall have the following powers and duties:

1. Provide a means of citizen access to the Department.
2. Provide a means of publicizing the policies and programs of the Department in order to educate the public and elicit public support for Department activities.
3. Monitor the policies and activities of the Department and have the right of access to departmental information.

4. *Review and comment on the budget for the Department.*

5. Advise the Governor, *the General Assembly*, and the Director on matters relating to the regulation *or deregulation* of professions and occupations.

~~5-~~ 6. Promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) necessary to carry out its responsibilities.

~~6-~~ 7. Evaluate ~~constantly~~ each profession and occupation in the Commonwealth not otherwise regulated for consideration as to whether such profession or occupation should be regulated and, if so, the degree of regulation that should be imposed. Whenever it determines that the public interest requires that a profession or occupation which is not regulated by law should be regulated, the Board shall recommend to the General Assembly next convened a regulatory system accompanied by comprehensive regulations necessary to conduct the degree of regulation required.

8. *Review each profession and occupation regulated by the Department or regulatory boards within the Department, on a periodic basis, to determine whether it is in the public interest that the Department or appropriate regulatory board should (i) continue to regulate such profession or occupation at its current level of regulation, (ii) regulate such profession or occupation at a different level of regulation, or (iii) no longer regulate such profession or occupation. Whenever the Board determines that it is in the public interest for a profession or occupation to be regulated at a different level of regulation than its current level of regulation or to be deregulated, the Board shall make such recommendation to the General Assembly.*

B. Upon the regulation of a profession or occupation as set forth in subsection A, the Board shall have the power and duty to promulgate supplemental regulations necessary to effectuate the purposes and intent of this chapter and to establish regulatory boards to administer the system of regulation and the regulations recommended by the Board and approved by the General Assembly.