

2026 SESSION

INTRODUCED

26101408D

INTRODUCED

HB932

1
2
3
4 A BILL to amend the Code of Virginia by adding a title numbered 30.1, containing a subtitle numbered I,
5 consisting of chapters numbered 1 and 2, containing sections numbered 30.1-100 through 30.1-237, a
6 subtitle numbered II, consisting of chapters numbered 3 through 10, containing sections numbered
7 30.1-300 through 30.1-1012, and a subtitle numbered III, consisting of chapters numbered 11 through 16,
8 containing sections numbered 30.1-1100 through 30.1-1613, and to repeal Title 30 (§§ 30-1 through
9 30-453) of the Code of Virginia, relating to the General Assembly and members thereof, the legislative
10 branch of government, and legislative commissions, councils, committees, and other legislative entities.
11

12 Patron—Simon
13
14 Committee Referral Pending

15 Be it enacted by the General Assembly of Virginia:

16 1. That the Code of Virginia is amended by adding a title numbered 30.1, containing a subtitle numbered I,
17 consisting of chapters numbered 1 and 2, containing sections numbered 30.1-100 through 30.1-237, a subtitle numbered II,
18 consisting of chapters numbered 3 through 10, containing sections numbered 30.1-300 through 30.1-1012, and a subtitle numbered III,
19 consisting of chapters numbered 11 through 16, containing sections numbered 30.1-1100 through 30.1-1613, as follows:

20 TITLE 30.1.

21 GENERAL ASSEMBLY.

22 SUBTITLE I.

23 THE GENERAL ASSEMBLY AND MEMBERS THEREOF.

24 CHAPTER 1.

25 MEMBERS OF THE GENERAL ASSEMBLY.

26 Article 1.

27 Privileges and Duties of Members.

28 § 30.1-100. Time and place of meeting of General Assembly; special sessions.

29 A. The General Assembly shall meet in regular session on the second Wednesday in January of each year.
30 It shall sit at the Capitol in the City of Richmond but may adjourn to any other place.

31 The General Assembly may, by joint resolution, direct the holding of such session in the restored Capitol
32 at Williamsburg, Virginia, as may seem proper.

33 B. In the event the General Assembly cannot safely meet at the Capitol or at the place to which it has
34 adjourned because of a public enemy, a dangerous contagious disease, or any other cause, each house may
35 meet at such other place as each house so determines.

36 C. The Governor shall promptly convene a special session upon the application of two-thirds of the
37 members elected to each house at such time and place as designated by the application or, if the time and
38 place are not designated, at such convenient and reasonable time and place as the Governor appoints.

39 § 30.1-101. Privilege of members from arrest; exception for criminal offenses.

40 During any session of the General Assembly, and for five days before and after the session, members of
41 the General Assembly shall be privileged from being taken into custody or imprisoned and no member of the
42 General Assembly shall be compelled as a witness in any case.

43 However, any member of the General Assembly who is alleged to have committed a criminal offense shall
44 be subject at any time to be charged, arrested, prosecuted, and imprisoned for such offense.

45 § 30.1-102. Privilege of members for words spoken or written.

46 No member or former member of the General Assembly shall be arrested or imprisoned for or on account
47 of any words spoken or written or any proceedings had in either house, but nothing shall restrict the power
48 that each house of the General Assembly has over its respective members.

49 § 30.1-103. Writs of habeas corpus.

50 Any court awarding a writ of habeas corpus in which a member of the General Assembly is named shall
51 have power to compel obedience to such writ.

52 § 30.1-104. Civil proceedings for or against members during session.

53 A. During any session of the General Assembly, any civil action in which a member of the General
54 Assembly is a party may be commenced but shall not be tried without such member's consent.

55 B. During the period beginning 15 days prior to the commencement of any session and ending 15 days
56 after the adjournment of such session, no member of the General Assembly shall be compelled in any civil
57 action to appear or file a responsive pleading, nor shall any such person be held in contempt.

59 **§ 30.1-105. Continuance or time for filing pleading, etc., where party or attorney is member of the**
60 **General Assembly.**

61 A. During the period beginning 30 days prior to the commencement of any session and ending 30 days
62 after the adjournment of such session, any party to an action or proceeding in any court of the
63 Commonwealth, including any commission or other tribunal having judicial or quasi-judicial powers or
64 jurisdiction, who is a member or member-elect of the General Assembly or who has, prior to or during the
65 session of the General Assembly, employed or retained an attorney who is or becomes a member or member-
66 elect of the General Assembly to represent him in such action or proceeding shall be entitled to a
67 continuance as a matter of right.

68 B. During the period beginning one day prior to the meeting date of any reconvened session or of any
69 legislative commission, council, committee, subcommittee, or other entity established by the General
70 Assembly that such member or member-elect of the General Assembly is scheduled to attend and ending one
71 day after the adjournment of such meeting, the court shall grant a continuance upon a motion of any such
72 member or member-elect, provided that such motion is made in writing and filed with the court at least three
73 days prior to the date of the scheduled proceeding. The requesting party, when practicable, shall strive to
74 notify all other parties to the proceeding of such request.

75 C. Any pleading required to be filed by any statute or rule during the period beginning 30 days prior to
76 the commencement of any session and ending 30 days after the adjournment of such session shall be extended
77 until not less than 30 days after any such session.

78 D. The failure of any court, commission, or other tribunal to comply with the provisions of this section
79 shall constitute reversible error, provided that this section shall not prevent the granting of temporary
80 injunctive relief or the dissolution or extension of a temporary injunction.

81 **§ 30.1-106. Inspection of state facilities or orientation sessions for members of the forthcoming**
82 **General Assembly.**

83 A. The Governor may arrange for an inspection of the grounds, buildings, or other physical facilities of
84 state agencies and state-supported institutions in each year preceding the regular session of the General
85 Assembly for the members of the forthcoming General Assembly. Such inspections shall be provided at state
86 expense for each member of the forthcoming General Assembly.

87 B. Transportation, meals, lodging, and other necessary accommodations for an inspection pursuant to
88 subsection A shall be provided from funds appropriated to the General Assembly. Travel shall be arranged
89 by motor bus or other convenient method of transportation from some central point to the several state
90 agencies and state-supported institutions for such inspection. The Governor shall notify the members of the
91 forthcoming General Assembly of the place and time of origin from which such travel shall begin and when it
92 is expected to end and shall make necessary accommodations for the members desiring to make such
93 inspection.

94 C. The members making an inspection pursuant to subsection A shall be allowed their reasonable
95 expenses in going to and from their homes to the point of origin of travel. Compensation shall be paid as
96 provided in §§ 30.1-109 and 30.1-110.

97 D. Nothing in this section shall be construed to restrict the right of any member of the General Assembly
98 to visit at his expense any state agency or state-supported institution at any time.

99 E. The Governor may arrange for orientation sessions on the organization, programs, operations, and
100 procedures of the executive branch of state government in lieu of inspections of state facilities in each year
101 preceding the regular session of the General Assembly for members of the forthcoming General Assembly.

102 **§ 30.1-107. Sexual harassment training required biennially.**

103 A. For purposes of this section:

104 "Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or
105 physical conduct of a sexual nature when such conduct explicitly or implicitly affects an individual's
106 employment, unreasonably interferes with an individual's work performance, or creates an intimidating,
107 hostile, or offensive work environment.

108 "Sexual harassment training course" means the sexual harassment training courses developed and
109 provided by either the Clerk of the House of Delegates or the Clerk of the Senate pursuant to § 30.1-305.

110 B. All members of the General Assembly shall complete a sexual harassment training course once every
111 two calendar years. Members elected to the House of Delegates shall complete the sexual harassment
112 training course provided by the Clerk of the House of Delegates. Members elected to the Senate shall
113 complete the sexual harassment training course provided by the Clerk of the Senate.

114 C. All members and members-elect of the General Assembly shall complete the sexual harassment
115 training course within 90 days of their election to either house of the General Assembly, except that no
116 member or member-elect shall be required to complete such training course more than once in a 12-month
117 period. A member or member-elect who is elected to either house of the General Assembly having
118 successfully completed the sexual harassment training course in the immediately preceding 12 months shall
119 complete such course again within one calendar year of their election and thereafter once every two calendar
120 years.

Article 2.

Salaries and Expenses of Members.

§ 30.1-108. Salaries and expenses of members of the General Assembly.

A. Each member of the General Assembly shall receive an annual salary as set forth in the general appropriation act. Such salaries shall be payable not more often than biweekly.

B. During any regular or special session of the General Assembly or extension of such session, each member of the General Assembly shall receive for each day as allowances for expenses such sum as set forth in the general appropriation act and mileage allowance at the rate provided in § 2.2-2823 or actual expenses for all official travel. Such mileage or travel reimbursement shall be allowed for only one round trip each week between the City of Richmond and such member's home.

C. Each member of the General Assembly shall receive as an allowance for office expenses and supplies such sum as set forth in the general appropriation act.

Notwithstanding any other provision of law, all such payments to members of the General Assembly shall be subject to such taxes and tax withholding as applicable to other nonvouchered allowances, except for any member of the General Assembly who has established an individual "accountable plan" as defined in § 1.62-2(c)(2) of the Internal Revenue Code.

§ 30.1-109. Compensation of members of the General Assembly for certain legislative services.

A. For purposes of this section:

"Active session" means (i) any day during any regular session of the General Assembly or the first extension of such session, (ii) any day that a roll call vote is taken in the member's house during any second or subsequent extension of a regular session that is not a pro forma session, or (iii) any day that a roll call vote is taken in the member's house during any special session of the General Assembly that is not a pro forma session.

"Capitol Square" means the grounds and all buildings in the City of Richmond bounded by Bank, Governor, Broad, and Ninth Streets.

"Legislative entity" means any board, commission, council, advisory body, committee, or subcommittee created by the General Assembly within the legislative branch.

"Pro forma session" means a session that is announced as a pro forma session by the presiding officer and in which no business is scheduled to be conducted.

B. Except as provided in subsections C through F, members of the General Assembly of all legislative entities established by the General Assembly and all committees and subcommittees of any legislative entity shall receive compensation as provided for in § 2.2-2813. Any other member of the General Assembly whose attendance is required by the chair of such legislative entity at a sitting of such entity is also entitled to compensation at the same rate.

C. No legislative member is entitled to compensation pursuant to this section for (i) any services performed on any day that the member's house is in active session or (ii) legislative services performed on Capitol Square on any day that the member's house has a pro forma session.

D. Full-time employees of the Commonwealth or of any of its political subdivisions are not entitled to compensation pursuant to this section.

E. No person shall receive a total of more than one day's compensation pursuant to this section for services performed on any one day. Whenever a member attends two or more meetings for which compensation is authorized in a single day, such one day's compensation shall be prorated from among the activities served.

F. Compensation of members of the General Assembly provided for in this section shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate as appropriate and such funds transferred from the appropriate activity.

§ 30.1-110. Travel reimbursement for members on official business of the Commonwealth.

A. The members, officers, and employees of the General Assembly and members of legislative committees that may sit during any recess of the General Assembly who are traveling on official business of the Commonwealth shall be entitled to receive for their mileage such reimbursement as prescribed in § 2.2-2823 for every mile of actual travel.

B. For the purpose of this article, Chapter 1 (§ 2.2-100 et seq.) of Title 2.2, and §§ 2.2-2813 and 2.2-2814 only, the distance of the City of Richmond from any place in any locality other than the courthouse of such locality shall be ascertained by adding to or deducting from the number of miles between the City of Richmond and such courthouse, as declared by law, the number of miles as such place may be farther from or nearer to the City of Richmond than such courthouse may be.

§ 30.1-111. Secretaries and administrative assistants for members.

The General Assembly shall provide for the employment of secretaries and administrative assistants for the Speaker of the House of Delegates, the President pro tempore of the Senate, the Majority and Minority Floor Leaders of the House of Delegates and Senate, and members of the General Assembly to aid in the performance of duties incidental to the legislative process. Allowances for such secretaries and administrative assistants shall be provided as set forth in the general appropriation act. Such allowances

183 shall not be utilized for political purposes and shall be further conditioned upon such limitations and
184 restrictions as set forth in the general appropriation act. The session day per diem for each secretary and
185 administrative assistant shall equal the amount authorized for members of the General Assembly as set forth
186 in the general appropriation act.

187 No member of the immediate family of a member of the General Assembly shall be eligible to receive any
188 sum authorized under the provisions of this section. For the purpose of this section, the spouse, parent, child,
189 or sibling of the member shall be considered a member of the immediate family.

190 Article 3.

191 **Legislator Compensation Commission.**

192 **§ 30.1-112. Legislator Compensation Commission; purpose.**

193 The Legislator Compensation Commission (the Commission) is established in the legislative branch of
194 state government. The purpose of the Commission is to review the salaries, expense allowances, retirement
195 benefits, and other emoluments received by members of the General Assembly and make recommendations
196 for any adjustments to such salaries or allowance amounts.

197 **§ 30.1-113. Membership; terms.**

198 A. The Commission shall have a total membership of nine members. Members shall be appointed as
199 follows:

200 1. Two former members of the House of Delegates, with equal representation given to each of the political
201 parties having the highest and next highest number of members in the House of Delegates, to be appointed by
202 the Joint Rules Committee;

203 2. Two former members of the Senate, with equal representation given to each of the political parties
204 having the highest and next highest number of members in the Senate, to be appointed by the Joint Rules
205 Committee; and

206 3. Five nonlegislative citizen members, of whom one shall be appointed by the Governor, one shall be
207 appointed by the Speaker of the House of Delegates, one shall be appointed by the House Minority Leader,
208 one shall be appointed by the Senate Majority Leader, and one shall be appointed by the Senate Minority
209 Leader.

210 B. Appointments of Commission members shall be made no later than July 1 of the year in which a
211 gubernatorial election is scheduled. Members shall serve until the submission of the report required pursuant
212 to subsection B of § 30.1-116 and may be reappointed to any subsequent convening of the Commission.
213 Vacancies shall be filled in the same manner as the original appointments.

214 **§ 30.1-114. Compensation; expenses.**

215 Commission members shall serve without compensation but shall be reimbursed as provided in
216 §§ 2.2-2813 and 2.2-2825 for reasonable and necessary expenses that are incurred in the performance of
217 their duties pursuant to this article.

218 **§ 30.1-115. Chair and vice-chair; quorum; meetings.**

219 The Commission shall elect a chair and vice-chair from among its membership. A majority of the
220 members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chair or
221 whenever the majority of the members so request.

222 **§ 30.1-116. Powers and duties of the Commission.**

223 A. The Commission shall convene every four years in the year in which a gubernatorial election is
224 scheduled to accomplish the purpose of this article. The Commission shall have the following powers and
225 duties:

226 1. Review the current salaries, expense allowances, retirement benefits, and any other emoluments for
227 members of the General Assembly;

228 2. Examine the Commonwealth's history of legislative compensation;

229 3. Gather information regarding the compensation, expenses, and benefits for legislative service in other
230 states;

231 4. Assess various state methodologies for determining reasonable legislative compensation, including
232 tying salaries to certain indexes or economic indicators; and

233 5. Seek assistance and input of legislators and other citizens by conducting surveys or holding public
234 hearings as may be appropriate.

235 B. The Commission shall determine whether any adjustments to the salaries, expense allowances,
236 retirement benefits, or other emoluments are indicated and shall submit its findings and recommendations in
237 a report to the Governor and the General Assembly on or before October 1 of the year following a
238 gubernatorial election.

239 C. Any adjustments made to the salaries, expense allowances, or other emoluments or benefits that are
240 recommended by the Commission and included in a budget bill that is subsequently adopted by the General
241 Assembly shall not be effective until January 1 of the year immediately following the general election for all
242 members of the General Assembly.

243 **§ 30.1-117. Staffing; cooperation and assistance.**

244 The Office of the Clerk of the House of Delegates and the Office of the Clerk of the Senate shall jointly

245 provide administrative staff support to the Commission. The staffs of the House Committee on Appropriations
 246 and the Senate Committee on Finance and Appropriations shall provide additional assistance. All agencies of
 247 the Commonwealth shall provide assistance to the Commission upon request.

248 **CHAPTER 2.**

249 **GENERAL ASSEMBLY CONFLICT OF INTERESTS ACT.**

250 **Article 1.**

251 **General Provisions.**

252 **§ 30.1-200. Policy; application; construction.**

253 A. The General Assembly, recognizing that our system of representative government is dependent in part
 254 upon (i) citizen legislative members representing fully the public in the legislative process and (ii) its citizens
 255 maintaining the highest trust in their public officers, finds and declares that the citizens are entitled to be
 256 assured that the judgment of the members of the General Assembly will be guided by a law that defines and
 257 prohibits inappropriate conflicts and requires disclosure of economic interests.

258 The provisions of this chapter do not preclude prosecution for any violation of any criminal law of the
 259 Commonwealth, including Articles 2 (§ 18.2-438 et seq.) and 3 (§ 18.2-446 et seq.) of Chapter 10 of Title
 260 18.2, and do not constitute a defense to any prosecution for such a violation.

261 B. This chapter shall apply to the members of the General Assembly.

262 C. This chapter shall be liberally construed to accomplish its purpose.

263 **§ 30.1-201. Definitions.**

264 As used in this chapter, unless the context requires a different meaning:

265 "Advisory agency" means any board, commission, committee, or post that does not exercise any sovereign
 266 power or duty but is appointed by a governmental agency or officer or is created by law for the purpose of
 267 making studies or recommendations, or advising or consulting with a governmental agency.

268 "Business" means a corporation, a partnership, a sole proprietorship, a firm, an enterprise, a franchise,
 269 an association, a trust, or a foundation, or any other individual or entity carrying on a business or
 270 profession, whether or not for profit.

271 "Candidate" means a person who seeks or campaigns for election to the General Assembly in a general,
 272 primary, or special election and who is qualified to have his name placed on the ballot for the office. A
 273 candidate shall become subject to the provisions of this chapter upon the filing of a statement of qualification
 274 pursuant to § 24.2-501. The State Board of Elections shall notify each such candidate of the provisions of this
 275 chapter.

276 "Contract" means any agreement to which a governmental agency is a party or any agreement on behalf
 277 of a governmental agency that involves the payment of money appropriated by the General Assembly or a
 278 political subdivision, whether or not such agreement is executed in the name of the Commonwealth or some
 279 political subdivision of the Commonwealth. "Contract" includes a subcontract only when the contract of
 280 which it is a part is with the legislator's own governmental agency.

281 "Council" means the Virginia Conflict of Interest and Ethics Advisory Council established in § 30.1-1254.

282 "Financial institution" means any bank, trust company, savings institution, industrial loan association,
 283 consumer finance company, credit union, broker-dealer as defined in subsection A of § 13.1-501, or
 284 investment company or advisor registered under the federal Investment Advisers Act of 1940, 15 U.S.C. §
 285 80b-1 et seq., or the federal Investment Company Act of 1940, 15 U.S.C. § 80a-1 et seq.

286 "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item
 287 having monetary value. "Gift" includes services as well as gifts of transportation, lodgings, and meals,
 288 whether provided in-kind, by purchase of a ticket, by payment in advance, or by reimbursement after the
 289 expense has been incurred. "Gift" does not include (i) any offer of a ticket, a coupon, or any other admission
 290 or pass unless the ticket, coupon, admission, or pass is used; (ii) honorary degrees; (iii) any athletic, merit,
 291 or need-based scholarship or any other financial aid awarded by a public or private school, institution of
 292 higher education, or other educational program pursuant to such school, institution, or program's financial
 293 aid standards and procedures applicable to the general public; (iv) a campaign contribution properly
 294 received and reported pursuant to the Campaign Finance Disclosure Act of 2006 (§ 24.2-945 et seq.); (v) any
 295 gift related to the private profession or occupation or volunteer service of a legislator or of a member of his
 296 immediate family; (vi) food or beverages consumed while attending an event at which the legislator is
 297 performing official duties related to his public service; (vii) food and beverages received at or registration or
 298 attendance fees waived for any event at which the legislator is a featured speaker, presenter, or lecturer;
 299 (viii) unsolicited awards of appreciation or recognition in the form of a plaque, trophy, wall memento, or
 300 similar item that is given in recognition of public, civic, charitable, or professional service; (ix) a devise or
 301 inheritance; (x) travel disclosed pursuant to the Campaign Finance Disclosure Act of 2006 (§ 24.2-945 et
 302 seq.); (xi) travel paid for or provided by the government of the United States, any of its territories, or any
 303 state or any political subdivision of such state; (xii) travel provided to facilitate attendance by a legislator at
 304 a regular or special session of the General Assembly, a meeting of a legislative committee or commission, or
 305 a national conference where attendance is approved by the House Committee on Rules or its Chair or the
 306 Senate Committee on Rules or its Chair; (xiii) travel related to an official meeting of, or any meal provided

307 for attendance at such meeting by, the Commonwealth, its political subdivisions, or any board, commission,
308 authority, or other entity, or any charitable organization established pursuant to § 501(c)(3) of the Internal
309 Revenue Code affiliated with such entity, to which such person has been appointed or elected or is a member
310 by virtue of his office or employment; (xiv) gifts with a value of less than \$20; (xv) attendance at a reception
311 or similar function where food, such as hors d'oeuvres, and beverages that can be conveniently consumed by
312 a person while standing or walking are offered; or (xvi) gifts from relatives or personal friends. For the
313 purpose of this definition, "relative" means the donee's spouse, child, parent's sibling, sibling's child, or first
314 cousin; a person to whom the donee is engaged to be married; the donee's or his spouse's parent,
315 grandparent, grandchild, sibling, stepparent, step-grandparent, step-grandchild, or stepsibling; or the
316 donee's sibling's spouse or the donee's child-in-law. For the purpose of this definition, "personal friend" does
317 not include any person that the legislator knows or has reason to know is (a) a lobbyist registered pursuant to
318 Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2 or (b) a lobbyist's principal as defined in § 2.2-419.

319 "Governmental agency" means each component part of the legislative, executive, or judicial branch of
320 state and local government, including each office, department, authority, post, commission, committee, and
321 institution or board created by law to exercise some regulatory or sovereign power or duty as distinguished
322 from purely advisory powers or duties.

323 "Immediate family" means (i) a spouse and (ii) any other person who resides in the same household as the
324 legislator and who is a dependent of the legislator.

325 "Legislator" means a member of the General Assembly.

326 "Personal interest" means a financial benefit or liability accruing to a legislator or to a member of his
327 immediate family. A "personal interest" exists by reason of (i) ownership in a business if the ownership
328 interest exceeds three percent of the total equity of the business; (ii) annual income that exceeds, or may
329 reasonably be anticipated to exceed, \$5,000 from ownership in real or personal property or a business; (iii)
330 salary, other compensation, fringe benefits, or benefits from the use of property, or any combination thereof,
331 paid or provided by a business or governmental agency that exceeds, or may reasonably be anticipated to
332 exceed, \$5,000 annually; (iv) ownership of real or personal property if the interest exceeds \$5,000 in value
333 and excluding ownership in a business, income, salary, other compensation, fringe benefits, or benefits from
334 the use of property; (v) personal liability incurred or assumed on behalf of a business if the liability exceeds
335 three percent of the asset value of the business; or (vi) an option for ownership of a business or real or
336 personal property if the ownership interest will consist of clause (i) or (iv).

337 "Personal interest in a contract" means a personal interest that a legislator has in a contract with a
338 governmental agency, whether due to his being a party to the contract or due to a personal interest in a
339 business that is a party to the contract.

340 "Personal interest in a transaction" means a personal interest of a legislator in any matter considered by
341 the General Assembly. A "personal interest in a transaction" exists when a legislator or a member of his
342 immediate family has a personal interest in property or a business, or represents or provides services to any
343 individual or business, and such property, business, or represented or served individual or business (i) is the
344 subject of the transaction or (ii) may realize a reasonably foreseeable direct or indirect benefit or detriment
345 as a result of the action of the agency considering the transaction. A "personal interest in a transaction"
346 exists only if the legislator or member of his immediate family or an individual or business represented or
347 served by the legislator is affected in a way that is substantially different from the general public or from
348 persons comprising a profession, occupation, trade, business, or other comparable and generally
349 recognizable class or group of which he or the individual or business he represents or serves is a member.

350 "Transaction" means any matter considered by the General Assembly, whether in a committee,
351 subcommittee, or other entity of the General Assembly or before the General Assembly itself, on which
352 official action is taken or contemplated.

Article 2.

Generally Prohibited and Unlawful Conduct.

§ 30.1-202. Application.

355 This article applies to generally prohibited conduct that is unlawful and to legislators.

§ 30.1-203. Prohibited conduct.

356 No legislator shall:

357 1. Solicit or accept money or other thing of value for services performed within the scope of his official
358 duties, except the compensation, expenses, or other remuneration paid to him by the General Assembly. This
359 prohibition shall not apply to the acceptance of special benefits that may be authorized by law;

360 2. Offer or accept any money or other thing of value for or in consideration of obtaining employment,
361 appointment, or promotion of any person with any governmental or advisory agency;

362 3. Offer or accept any money or other thing of value for or in consideration of the use of his public
363 position to obtain a contract for any person or business with any governmental or advisory agency;

364 4. Use for his own economic benefit or that of another party confidential information that he has acquired
365 by reason of his public position and that is not available to the public;

366 5. Accept any money, loan, gift, favor, service, or business or professional opportunity that reasonably

369 tends to influence him in the performance of his official duties. This prohibition shall not apply to any
 370 political contribution actually used for political campaign or constituent service purposes and reported as
 371 required by the Campaign Finance Disclosure Act of 2006 (§ 24.2-945 et seq.);

372 6. Accept any business or professional opportunity when he knows that there is a reasonable likelihood
 373 that the opportunity is being afforded him to influence him in the performance of his official duties;

374 7. During the one-year period after the termination of his service as a legislator, represent a client or act
 375 in a representative capacity on behalf of any person or group, for compensation, on any matter before the
 376 General Assembly or any agency of the legislative branch of government. This prohibition shall apply only to
 377 persons engaged in activities that would require registration as a lobbyist under § 2.2-422. Any person
 378 subject to the provisions of this subdivision may apply to the Council, as provided in § 30.1-1256, or the
 379 Attorney General, as provided in § 30.1-227, for an advisory opinion as to the application of this prohibition
 380 on any post-public employment position or opportunity;

381 8. Accept any honoraria for any appearance, speech, or article in which the legislator provides expertise
 382 or opinions related to the performance of his official duties. The term "honoraria" does not include any
 383 payment for or reimbursement to such legislator for his actual travel, lodging, or subsistence expenses
 384 incurred in connection with such appearance, speech, or article or, in the alternative, a payment of money or
 385 anything of value not in excess of the per diem deduction allowable under § 162 of the Internal Revenue
 386 Code, as amended;

387 9. Accept appointment to serve on a body or board of any corporation, company, or other legal entity that
 388 is vested with the management of the corporation, company, or legal entity, and on which two other
 389 legislators already serve, that is operated for profit and regulated by the State Corporation Commission as
 390 (i) a financial institution, (ii) a mortgage lender or broker, (iii) any business under the Securities Act
 391 (§ 13.1-501 et seq.), (iv) any business under Title 38.2, or (v) any business under Title 56;

392 10. Accept a gift from a person who has interests that may be substantially affected by the performance of
 393 the legislator's official duties under circumstances where the timing and nature of the gift would cause a
 394 reasonable person to question the legislator's impartiality in the matter affecting the donor. Violations of this
 395 subdivision shall not be subject to criminal law penalties; or

396 11. Accept gifts from sources on a basis so frequent as to raise an appearance of the use of his public
 397 office for private gain. Violations of this subdivision shall not be subject to criminal law penalties.

398 **§ 30.1-204. Certain gifts prohibited.**

399 A. For purposes of this section:

400 "Foreign country of concern" means the same as that term is defined in § 2.2-3103.1.

401 "Widely attended event" means an event that at least 25 persons have been invited to attend or for which
 402 there is a reasonable expectation that at least 25 persons will attend and that is open to individuals (i) who
 403 are members of a public, civic, charitable, or professional organization; (ii) who are from a particular
 404 industry or profession; or (iii) who represent persons interested in a particular issue.

405 B. No legislator or candidate for the General Assembly required to file the disclosure form prescribed in
 406 § 30.1-214 or a member of his immediate family shall solicit, accept, or receive any single gift for himself or
 407 a member of his immediate family with a value in excess of \$100 or any combination of gifts with an
 408 aggregate value in excess of \$100 within any calendar year for himself or a member of his immediate family
 409 from any person that he or a member of his immediate family knows or has reason to know is (i) a lobbyist
 410 registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2 or (ii) a lobbyist's principal as
 411 defined in § 2.2-419. Gifts with a value of less than \$20 are not subject to aggregation for purposes of this
 412 prohibition.

413 C. Notwithstanding the provisions of subsection B, a legislator or candidate for the General Assembly or
 414 a member of his immediate family may accept or receive a gift of food and beverages, entertainment, or the
 415 cost of admission with a value in excess of \$100 when such gift is accepted or received while in attendance at
 416 a widely attended event and is associated with the event. Such gifts shall be reported on the disclosure form
 417 prescribed in § 30.1-214.

418 D. Notwithstanding the provisions of subsection B, a legislator or a member of his immediate family may
 419 accept or receive a gift from a foreign dignitary with a value exceeding \$100 for which the fair market value
 420 or a gift of greater or equal value has not been provided or exchanged so long as such foreign dignitary is
 421 not a representative of a foreign country of concern. Such gift shall be accepted on behalf of the
 422 Commonwealth and archived in accordance with guidelines established by The Library of Virginia. Such gift
 423 shall be disclosed as having been accepted on behalf of the Commonwealth, but the value of such gift shall
 424 not be required to be disclosed.

425 E. Notwithstanding the provisions of subsection B, a legislator or candidate for the General Assembly or
 426 a member of his immediate family may accept or receive certain gifts with a value in excess of \$100 from a
 427 person listed in subsection B if such gift was provided to the legislator or candidate or a member of his
 428 immediate family on the basis of a personal friendship. Notwithstanding any other provision of law, a person
 429 listed in subsection B may be a personal friend of the legislator or candidate or his immediate family member
 430 for purposes of this subsection. In determining whether a person listed in subsection B is a personal friend,

431 the following factors shall be considered: (i) the circumstances under which the gift was offered; (ii) the
432 history of the relationship between the person and the donor, including the nature and length of the
433 friendship and any previous exchange of gifts between them; (iii) to the extent known to the person, whether
434 the donor personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and
435 (iv) whether the donor has given the same or similar gifts to other persons required to file the disclosure form
436 prescribed in § 2.2-3117 or 30.1-214.

437 F. Notwithstanding the provisions of subsection B, a legislator or candidate for the General Assembly or
438 a member of his immediate family may accept or receive gifts of travel, including travel-related
439 transportation, lodging, hospitality, food or beverages, or other thing of value, with a value in excess of \$100
440 that is paid for or provided by a person listed in subsection B when the legislator or candidate has submitted
441 a request for approval of such travel to the Council and has received the approval of the Council pursuant to
442 § 30.1-1257. Such gifts shall be reported on the disclosure form prescribed in § 30.1-214.

443 G. The \$100 limitation imposed in accordance with this section shall be adjusted by the Council every five
444 years, as of January 1 of that year, in an amount equal to the annual increases for that five-year period in the
445 United States Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the
446 Bureau of Labor Statistics of the U.S. Department of Labor, rounded to the nearest whole dollar.

447 **§ 30.1-205. Return of gifts.**

448 No person shall be in violation of any provision of this chapter prohibiting the acceptance of a gift if (i)
449 the gift is not used by such person and the gift or its equivalent in money is returned to the donor or delivered
450 to a charitable organization within a reasonable period of time upon the discovery of the value of the gift and
451 is not claimed as a charitable contribution for federal income tax purposes or (ii) consideration is given by
452 the donee to the donor for the value of the gift within a reasonable period of time upon the discovery of the
453 value of the gift, provided that such consideration reduces the value of the gift to an amount not in excess of
454 \$100 as provided in subsection B of § 30.1-204.

455 **Article 3.**

456 **Prohibited Conduct Relating to Contracts.**

457 **§ 30.1-206. Application.**

458 This article proscribes certain conduct by legislators relating to contracts.

459 **§ 30.1-207. Prohibited contracts by legislators.**

460 A. No legislator shall have a personal interest in a contract with the legislative branch of state
461 government.

462 B. No legislator shall have a personal interest in a contract with any governmental agency of the
463 executive or judicial branches of state government, other than in a contract of regular employment, unless
464 such contract is awarded as a result of competitive sealed bidding or competitive negotiation as set forth in
465 § 2.2-4302.1 or 2.2-4302.2 or is exempted from competitive sealed bidding or competitive negotiation
466 pursuant to § 2.2-4344.

467 C. No legislator shall have a personal interest in a contract with any governmental agency of local
468 government, other than in a contract of regular employment, unless such contract is (i) awarded as a result
469 of competitive sealed bidding or competitive negotiation as set forth in § 2.2-4302.1 or 2.2-4302.2 or is
470 awarded as a result of a procedure embodying competitive principles as authorized by subdivision A 10 or 11
471 of § 2.2-4343; (ii) exempted from competitive sealed bidding, competitive negotiation, or a procedure
472 embodying competitive principles pursuant to § 2.2-4344; or (iii) awarded after a finding, in writing, by the
473 administrative head of the local governmental agency that competitive bidding or negotiation is contrary to
474 the best interest of the public.

475 D. The provisions of this section shall not apply to contracts for the sale by a governmental agency of
476 services or goods at uniform prices available to the general public.

477 E. The provisions of this section shall not apply to a legislator's personal interest in a contract between a
478 public institution of higher education in the Commonwealth and a publisher or wholesaler of textbooks or
479 other educational materials for students that accrues to him solely because he has authored or otherwise
480 created such textbooks or materials.

481 **§ 30.1-208. Further exceptions.**

482 A. The provisions of § 30.1-207 shall not apply to:

483 1. The sale, lease, or exchange of real property between a legislator and a governmental agency, provided
484 that the legislator does not participate in any way as a legislator in such sale, lease, or exchange and this
485 fact is set forth as a matter of public record by the governing body of the governmental agency or by the
486 administrative head of such agency. The legislator shall disclose any lease with a state governmental agency
487 in his statement of economic interests as provided in § 30.1-214;

488 2. The publication of official notices;

489 3. A legislator whose sole personal interest in a contract with a governmental agency of the legislative
490 branch is by reason of income from the contracting firm or General Assembly in excess of \$5,000 per year,
491 provided that the legislator or member of his immediate family does not participate and has no authority to
492 participate in the procurement or letting of such contract on behalf of the contracting firm and the legislator

493 either does not have authority to participate in the procurement or letting of such contract on behalf of such
 494 governmental agency or he disqualifies himself as a matter of public record and does not participate on
 495 behalf of such governmental agency in negotiating or approving such contract;

496 4. Contracts between a legislator's governmental agency and a public service corporation, financial
 497 institution, or company furnishing public utilities in which the legislator has a personal interest, provided
 498 that he disqualifies himself as a matter of public record and does not participate on behalf of his
 499 governmental agency in negotiating the contract or in approving the contract;

500 5. Contracts for the purchase of goods or services when the contract does not exceed \$500; or

501 6. Grants or other payments under any program wherein uniform rates for, or the amounts paid to, all
 502 qualified applicants are established solely by the administering governmental agency.

503 B. Neither the provisions of this chapter nor, unless expressly provided otherwise, any amendments to it
 504 shall apply to those employment contracts or renewals or to any other contracts entered into prior to August
 505 1, 1987, that were in compliance with either the former Virginia Conflict of Interests Act, Chapter 22
 506 (§ 2.1-347 et seq.) of Title 2.1, or the former Comprehensive Conflict of Interests Act, Chapter 40 (§ 2.1-599
 507 et seq.) of Title 2.1, at the time of their formation and thereafter. Those contracts shall continue to be
 508 governed by the provisions of the appropriate prior Act. Notwithstanding the provisions of subdivision (f)(4)
 509 of former § 2.1-348 of Chapter 22 of Title 2.1 in effect prior to July 1, 1983, the employment by the same
 510 governmental agency of a legislator and a member of his immediate family shall not be deemed to create a
 511 material financial interest except when one of such persons is employed in a direct supervisory or
 512 administrative position, or both, with respect to such member of his immediate family, and the annual salary
 513 of such subordinate is \$15,000 or more.

Article 4.

Prohibited Conduct Relating to Transactions.

§ 30.1-209. Application.

This article proscribes certain conduct by legislators having a personal interest in a transaction.

§ 30.1-210. Prohibited conduct concerning personal interest in a transaction.

A legislator who has a personal interest in a transaction shall disqualify himself from participating in the transaction.

Unless otherwise prohibited by the rules of his house, the disqualification requirement of this section shall not prevent any legislator from participating in discussions and debates, provided that (i) he verbally discloses the fact of his personal interest in the transaction at the outset of the discussion or debate or as soon as practicable thereafter and (ii) he does not vote on the transaction in which he has a personal interest.

Article 5.

Disclosure Statements Required to Be Filed.

§ 30.1-211. Application.

This article requires disclosure of certain personal and financial interests by legislators and legislators-elect.

§ 30.1-212. Disclosure.

A. In accordance with the requirements set forth in § 30.1-215, every legislator and legislator-elect shall file, as a condition to assuming office, a disclosure statement of his personal interests and such other information as is required on the form prescribed by the Council pursuant to § 30.1-214 and thereafter shall file such a statement annually on or before February 1. Disclosure forms shall be made available by the Council at least 30 days prior to the filing deadline. Disclosure forms shall be filed electronically with the Council in accordance with the standards approved by it pursuant to § 30.1-1256. All disclosure forms shall be maintained as public records for five years in the office of the Council. Such forms shall be made public no later than six weeks after the filing deadline.

B. Candidates for the General Assembly shall file a disclosure statement of their personal interests as required by §§ 24.2-500 through 24.2-503.

C. Any legislator who has a personal interest in any transaction pending before the General Assembly and who is disqualified from participating in that transaction pursuant to § 30.1-210 and the rules of his house shall disclose his interest in accordance with the applicable rule of his house.

§ 30.1-213. Report of gifts.

Every legislator shall file, on or before May 1, a report of gifts accepted or received by him or a member of his immediate family during the period beginning on January 1 complete through adjournment sine die of the regular session of the General Assembly. The gift report shall be on a form prescribed by the Council and shall be filed electronically with the Council in accordance with the standards approved by it pursuant to § 30.1-1256. For purposes of this section, "adjournment sine die" means adjournment on the last legislative day of the regular session and does not include the ensuing reconvened session. Any gifts reported pursuant to this section shall not be listed on the annual disclosure form prescribed by the Council pursuant to § 30.1-214.

§ 30.1-214. Disclosure form; penalty.

A. The disclosure form to be used for filings required by subsections A and B of § 30.1-212 shall be

555 prescribed by the Council. All completed forms shall be filed electronically with the Council in accordance
556 with the standards approved by it pursuant to § 30.1-1256.

557 B. Any legislator who knowingly and intentionally makes a false statement of a material fact on the
558 General Assembly Statement of Economic Interests (the Statement) is guilty of a Class 5 felony and shall be
559 subject to disciplinary action for such violations by the house in which the legislator sits.

560 C. The Council shall review all Statements filed by legislators pursuant to subsection A. If a legislator's
561 Statement is found by the Council to be inadequate as filed, the legislator shall be notified in writing and
562 directed to file an amended Statement correcting the indicated deficiencies, and a time shall be set within
563 which such amendment shall be filed. If the Statement, in either its original or amended form, is found to be
564 adequate as filed, the legislator's filing shall be deemed in full compliance with this section as to the
565 information disclosed thereon.

566 D. Ten percent of the membership of a house, on the basis of newly discovered facts, may in writing
567 request the house in which those members sit, in accordance with the rules of that house, to review the
568 Statement of another member of that house in order to determine the adequacy of his filing. In accordance
569 with the rules of each house, each Statement shall be promptly reviewed, the adequacy of the filing
570 determined, and notice given in writing to the legislator whose Statement is in issue. Should it be determined
571 that the Statement requires correction, augmentation, or revision, the legislator involved shall be directed to
572 make the changes required within such time as shall be set under the rules of each house.

573 If a legislator, after having been notified in writing in accordance with the rules of the house in which he
574 sits that his Statement is inadequate as filed, fails to amend his Statement so as to come into compliance
575 within the time limit set, he shall be subject to disciplinary action by the house in which he sits. No legislator
576 shall vote on any question relating to his own Statement.

577 **§ 30.1-215. Disclosure form; filing requirements.**

578 A. A legislator or legislator-elect required to file an annual disclosure on or before February 1 pursuant
579 to this article shall disclose his personal interests and other information as required on the form prescribed
580 by the Council for the preceding calendar year complete through December 31. A legislator or legislator-
581 elect required to file a disclosure as a condition to assuming office shall file such disclosure on or before the
582 day such office is assumed and disclose his personal interests and other information as required on the form
583 prescribed by the Council for the preceding 12-month period complete through the last day of the month
584 immediately preceding the month in which the office is assumed; however, any legislator or legislator-elect
585 who assumes office in January shall be required to only file an annual disclosure on or before February 1 for
586 the preceding calendar year complete through December 31.

587 B. When the deadline for filing any disclosure pursuant to this article falls on a Saturday, Sunday, or
588 legal holiday, the deadline for filing shall be the next day that is not a Saturday, Sunday, or legal holiday.

589 **Article 6.**

590 **Penalties and Remedies.**

591 **§ 30.1-216. Senate and House Ethics Advisory Panels; membership; terms; quorum; compensation and
592 expenses.**

593 A. The Senate Ethics Advisory Panel and the House Ethics Advisory Panel are established in the
594 legislative branch of state government. The provisions of §§ 30.1-216 through 30.1-224 shall be applicable to
595 each panel.

596 B. The Senate Ethics Advisory Panel shall be composed of five members as follows: three former members
597 of the Senate and two nonlegislative citizen members who have not previously held such office. All members
598 of the Senate Ethics Advisory Panel shall be citizens of the Commonwealth. No member shall engage in
599 activities requiring him to register as a lobbyist under § 2.2-422 during his tenure on the Senate Ethics
600 Advisory Panel.

601 The members shall be nominated by the Senate Committee on Rules and confirmed by the Senate by a
602 majority vote of (i) the members present of the majority party and (ii) the members present of the minority
603 party. After initial appointments, all appointments shall be for terms of four years each except for unexpired
604 terms. Nominations shall be made so as to assure bipartisan representation on the Senate Ethics Advisory
605 Panel.

606 C. The House Ethics Advisory Panel shall be composed of five members as follows: one retired justice or
607 judge of a court of record, two former members of the House of Delegates, and two nonlegislative citizen
608 members, at least one of whom shall not have previously held such office. All members of the House Ethics
609 Advisory Panel shall be citizens of the Commonwealth. No member shall engage in activities requiring him to
610 register as a lobbyist under § 2.2-422 during his tenure on the House Ethics Advisory Panel.

611 The members shall be nominated by the Speaker of the House of Delegates and confirmed by the House of
612 Delegates by a majority vote of (i) the members present of the majority party and (ii) the members present of
613 the minority party. After initial appointments, all appointments shall be for terms of four years each except
614 for unexpired terms. Nominations shall be made so as to assure bipartisan representation on the House
615 Ethics Advisory Panel.

616 D. Each panel shall elect its own chair and vice-chair from among its membership.

617 E. No member shall serve more than three successive four-year terms. Vacancies shall be filled only for
 618 the unexpired term. Vacancies shall be filled in the same manner as the original appointments. The
 619 remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in
 620 determining the member's eligibility for reappointment.

621 F. Three members shall constitute a quorum on each panel. A vacancy shall not impair the right of the
 622 remaining members to exercise all powers of each panel. Meetings of each panel shall be held at the call of
 623 the chair or whenever the majority of the members so request.

624 G. The members of each panel, while conducting the business of each panel, are performing legislative
 625 duties and shall be entitled to the compensation and reimbursement of expenses to which legislators are
 626 entitled when performing legislative duties pursuant to §§ 2.2-2813, 2.2-2825, and 30.1-109. The funding for
 627 the cost of compensation and expenses of the members of the Senate Ethics Advisory Panel shall be provided
 628 by the Office of the Clerk of the Senate, and the funding for the cost of compensation and expenses of the
 629 House Ethics Advisory Panel shall be provided by the Office of the Clerk of the House of Delegates.

630 **§ 30.1-217. Powers and duties of Senate and House Ethics Advisory Panels.**

631 The powers and duties of the Senate Ethics Advisory Panel and the House Ethics Advisory Panel shall be
 632 applied and used only in relation to members of the respective house of the General Assembly for which each
 633 panel is created. Each panel shall establish its rules of procedure, including rules for the conduct of open
 634 meetings and hearings.

635 **§ 30.1-218. Records of Senate and House Ethics Advisory Panels.**

636 If a complaint is dismissed during the preliminary investigation, such records shall remain confidential
 637 and be retained for a period of five years and then destroyed. Records related to a complaint that has
 638 proceeded to an inquiry beyond a preliminary investigation shall be made available to the public and
 639 retained in a manner prescribed by the Virginia Public Records Act (§ 42.1-76 et seq.).

640 **§ 30.1-219. Filing of complaints; procedures; disposition by Senate and House Ethics Advisory Panels.**

641 A. In response to the signed and sworn complaint of any citizen of the Commonwealth, which is
 642 subscribed by the maker as true under penalty of perjury, submitted to the Senate Ethics Advisory Panel or
 643 the House Ethics Advisory Panel, the respective panel shall inquire into any alleged violation of Articles 2
 644 through 5 (§ 30.1-202 et seq.) by any legislator of the respective house of the General Assembly in his current
 645 term or his immediate prior term. Complaints shall be filed with the Council, which shall promptly (i) submit
 646 the complaint to the chair of the appropriate panel and (ii) forward a copy of the complaint to the legislator
 647 named in the complaint. The chair shall promptly notify the appropriate panel of the complaint. No complaint
 648 shall be filed with either panel 60 or fewer days before a primary election or other nominating event or
 649 before a general election in which the cited legislator is running for office, and neither panel shall accept nor
 650 act on any complaint received during this period.

651 B. Each panel shall determine, during its preliminary investigation, whether the facts stated in the
 652 complaint taken as true are sufficient to show a violation of Articles 2 through 5 (§ 30.1-202 et seq.). If the
 653 facts, as stated in the complaint, fail to give rise to such a violation, then the panel shall dismiss the
 654 complaint. If the facts, as stated in the complaint, give rise to such a violation, then the panel shall request
 655 that the complainant appear and testify under oath as to the complaint and the allegations therein. After
 656 hearing the testimony and reviewing any other evidence provided by the complainant, the panel shall dismiss
 657 the complaint if it fails to find by a preponderance of the evidence that such violation has occurred. If the
 658 panel finds otherwise, it shall proceed with the inquiry.

659 C. If, after such preliminary investigation, the panel determines to proceed with an inquiry into the
 660 conduct of any legislator, the panel (i) shall immediately notify in writing the individual who filed the
 661 complaint and the cited legislator as to the fact of the inquiry and the charges against the legislator and (ii)
 662 shall schedule one or more hearings on the matter. The legislator shall have the right to present evidence,
 663 cross-examine witnesses, face and examine the accuser, and be represented by counsel at any hearings. In its
 664 discretion, the panel may grant the legislator any other rights or privileges not specifically enumerated in
 665 this subsection. Once the panel has determined to proceed with an inquiry, its meetings and hearings shall be
 666 open to the public.

667 D. Once the panel determines to proceed with an inquiry into the conduct of any legislator, the panel shall
 668 complete its investigations and dispose of the matter as provided in § 30.1-221 notwithstanding the
 669 resignation of the legislator during the course of the panel's proceedings.

670 **§ 30.1-220. Subpoenas of Senate and House Ethics Advisory Panels.**

671 Each panel may issue subpoenas to compel the attendance of witnesses or the production of documents,
 672 books, or other records. Each panel may apply to the Circuit Court of the City of Richmond to compel
 673 obedience to the subpoenas of the panel. Notwithstanding any other provisions of law, every state and local
 674 governmental agency and units and subdivisions of each such agency shall make available to the panel any
 675 documents, records, data, statements, or other information, except tax returns or information relating to tax
 676 returns, that the panel designates as being necessary for the exercise of its powers and duties.

677 **§ 30.1-221. Disposition of cases before Senate and House Ethics Advisory Panels.**

678 A. Within 120 days of the chair's forwarding the signed and sworn complaint to it, the panel or a majority

679 of its members acting in its name shall dispose of the matter in one of the following ways:

680 1. a. If the panel determines in its preliminary investigation that the complaint is without merit, the panel
681 shall dismiss the complaint, notify the complainant and legislator, and take no further action. In such case,
682 the panel shall retain its records and findings in confidence unless the legislator under inquiry requests in
683 writing that the records and findings be made public.

684 b. If the panel determines in the course of its proceedings that the facts and evidence show that the
685 complaint is without merit, the panel shall dismiss the complaint, so advise the complainant and legislator,
686 and report its action to the Clerk of the appropriate house for the information of the House of Delegates or
687 Senate.

688 2. If the panel determines that there is a reasonable basis to conclude that the legislator has violated the
689 provisions of this chapter but that the violation was not made knowingly, the panel shall refer the matter by a
690 written report setting forth its findings and the reasons therefor to the appropriate house of the General
691 Assembly for appropriate action. All panel reports are advisory only and shall be delivered to the Clerk of
692 the appropriate house, who shall refer the report to the appropriate Committee on Privileges and Elections in
693 accordance with the rules of the appropriate house. The appropriate Committee on Privileges and Elections
694 shall in all cases report, after due hearings and consideration, its determination of the matter and its
695 recommendations and reasons for its resolves to the appropriate house. If the appropriate Committee on
696 Privileges and Elections deems that disciplinary action is warranted, it shall report a resolution to express
697 such action. The appropriate house as a whole shall then consider the resolution, and if it finds the legislator
698 in violation of any provision of this chapter, it may by recorded vote take such disciplinary action as it deems
699 warranted.

700 3. If the panel determines that there is a reasonable basis to conclude that the legislator knowingly
701 violated any provision of Articles 2 through 5 (§ 30.1-202 et seq.), except § 30.1-210 or subsection C of
702 § 30.1-212, it shall refer the matter by a written report setting forth its findings and the reasons therefor to
703 the Attorney General for such action as he deems appropriate. The panel shall also file its report with the
704 Clerk of the appropriate house, who shall refer the report in accordance with the rules of his house. In the
705 event the Attorney General determines not to prosecute the alleged violation, he shall notify the Clerk of the
706 appropriate house of his determination, and the Clerk shall send the report to the appropriate Committee on
707 Privileges and Elections. The matter shall thereafter be handled in accordance with the provisions of
708 subdivision 2.

709 4. If the panel determines that there is a reasonable basis to conclude that the legislator has violated
710 § 30.1-210 or subsection C of § 30.1-212, it shall refer the matter by a written report to the appropriate
711 house pursuant to subdivision 2. As its first order of business other than organizational matters and
712 committee work, the house in which the legislator sits shall immediately upon the convening of the next
713 regular or special session take up and dispose of the matter by taking one or more of the following actions:
714 (i) dismiss the complaint; (ii) sustain the complaint and reprimand the legislator; (iii) sustain the complaint,
715 censure the legislator, and strip the legislator of his seniority; (iv) sustain the complaint and expel the
716 legislator by a two-thirds vote of the elected legislators of the respective house; or (v) in the event the house
717 finds a knowing violation, refer the matter to the Attorney General pursuant to subdivision 3.

718 B. The panel shall make public any report that it makes pursuant to the provisions of subdivision A 1 b, 2,
719 3, or 4 on the date it refers its report.

720 **§ 30.1-222. Confidentiality of proceedings before Senate and House Ethics Advisory Panels.**

721 All proceedings conducted during the investigation of any complaint by each panel shall be confidential.
722 This rule of confidentiality shall apply to panel members and their staff, the appropriate Committee on
723 Privileges and Elections and its staff, and the Council.

724 **§ 30.1-223. Staff for Senate and House Ethics Advisory Panels.**

725 Each panel may hire staff and outside counsel to assist the panel and to conduct examinations of
726 witnesses, subject to the approval of the President pro tempore of the Senate for the Senate Ethics Advisory
727 Panel and subject to the approval of the Speaker of the House of Delegates for the House Ethics Advisory
728 Panel.

729 **§ 30.1-224. Jurisdiction of Senate and House Ethics Advisory Panels.**

730 Each panel shall have jurisdiction over any complaint alleging a violation of Articles 2 through 5
731 (§ 30.1-202 et seq.) that occurs on or after August 1, 1987, and over any complaint alleging a violation of the
732 former Comprehensive Conflict of Interests Act, Chapter 40 (§ 2.1-599 et seq.) of Title 2.1, occurring after
733 July 1, 1984, and prior to August 1, 1987.

734 **§ 30.1-225. Senate and House Committees on Standards of Conduct.**

735 Either house of the General Assembly may establish, in its rules, a Committee on Standards of Conduct to
736 be appointed as provided in its rules and consisting of three legislative members, one of whom shall be a
737 member of the minority party. The Committee on Standards of Conduct shall consider any request by a
738 legislator of its house for an advisory opinion as to whether the facts in a particular case would constitute a
739 violation of the provisions of this chapter and may consider other matters assigned to it pursuant to the rules
740 of its house.

§ 30.1-226. Adoption of rules governing procedures and disciplinary sanctions.

Each house of the General Assembly shall adopt rules governing procedures and disciplinary sanctions for legislators who have committed alleged violations of this chapter.

§ 30.1-227. Enforcement.

The provisions of this chapter shall be enforced by the Attorney General. In addition to any other powers and duties prescribed by law, the Attorney General shall have the following powers and duties:

1. If he determines that any legislator has knowingly violated any provision of this chapter, he shall designate an attorney for the Commonwealth who shall have complete and independent discretion in the prosecution of the legislator; and

2. He shall render advisory opinions to any legislator who seeks advice as to whether the facts in a particular case would constitute a violation of the provisions of this chapter. He shall determine which of his opinions or portions thereof are of general interest to the public and may, from time to time, be published.

Irrespective of whether an opinion of the Attorney General has been requested and rendered, any legislator has the right to seek a declaratory judgment or other judicial relief as provided by law.

§ 30.1-228. Knowing violation of chapter a misdemeanor.

Any legislator who knowingly violates any of the provisions of Articles 2 through 5 (§ 30.1-202 et seq.) is guilty of a Class 1 misdemeanor. A knowing violation under this section is one in which the legislator engages in conduct, performs an act, or refuses to perform an act when he knows that the conduct is prohibited or required by this chapter. There shall be no prosecution for a violation of § 30.1-210 or subsection C of § 30.1-212 unless the house in which the legislator sits has referred the matter to the Attorney General as provided in subdivision A 4 of § 30.1-221.

§ 30.1-229. Advisory opinions.

A legislator shall not be prosecuted or disciplined for a violation of this chapter if the alleged violation resulted from his good faith reliance on a written opinion of the applicable Committee on Standards of Conduct established pursuant to § 30.1-225, an opinion of the Attorney General as provided in § 30.1-227, or a formal opinion or written informal advice of the Council established pursuant to § 30.1-1254, and such opinion or advice was made after a full disclosure of the facts regardless of whether such opinion or advice is later withdrawn and provided that the alleged violation occurred prior to the withdrawal of such opinion or advice.

§ 30.1-230. Invalidation of contract; revision of sales.

A. Any contract made in violation of § 30.1-203 or 30.1-207 may be declared void and may be rescinded by the contracting or selling governmental agency within five years of the date of such contract. In cases in which the contract is invalidated, the contractor shall retain or receive only the reasonable value, with no increment for profit or commission, of the property or services furnished prior to the date of receiving notice that the contract has been voided. In cases of revision of a contract of sale, any refund or restitution shall be made to the contracting or selling governmental agency.

B. Any purchase by a legislator made in violation of § 30.1-203 or 30.1-207 may be rescinded by the contracting or selling governmental agency within five years of the date of such purchase.

§ 30.1-231. Civil penalty from violation of this chapter.

A. In addition to any other fine or penalty provided by law, any money or other thing of value derived by a legislator from a violation of §§ 30.1-203 through 30.1-210 shall be forfeited, and a legislator who knowingly violates such a provision may be subject to a civil penalty in an amount equal to the amount of money or thing of value forfeited to the Commonwealth. If the thing of value received by the legislator in violation of this chapter increases in value between the time of the violation and the time of discovery of the violation, the greater value shall determine the amount of the civil penalty.

B. A legislator required to file the disclosure form prescribed by § 30.1-214 who fails to file such form within the time period prescribed shall be assessed a civil penalty in an amount equal to \$250. The Council shall notify the Attorney General of any legislator's failure to file the required form within 30 days of the deadline for filing, and the Attorney General shall assess and collect the civil penalty. All civil penalties collected pursuant to this subsection shall be deposited into the general fund and used exclusively to fund the Council.

§ 30.1-232. Criminal prosecutions.

A. Violations of this chapter may be prosecuted notwithstanding the jurisdiction of, or any pending proceeding before, the Senate Ethics Advisory Panel or House Ethics Advisory Panel.

B. Nothing in this chapter shall limit or affect the application of other criminal statutes and penalties as provided in the Code of Virginia, including bribery, embezzlement, perjury, conspiracy, fraud, and violations of the Campaign Finance Disclosure Act of 2006 (§ 24.2-945 et seq.).

§ 30.1-233. Limitation of actions.

The statute of limitations for the criminal prosecution of a legislator for violation of any provision of this chapter shall be one year from the time the Attorney General has actual knowledge of the violation or five years from the date of the violation, whichever event occurs first.

§ 30.1-234. Venue.

803 Any prosecution for a violation of this chapter shall be brought in the circuit court of the jurisdiction in
804 which the legislator resides or the jurisdiction in which he resided at the time of the alleged violation if he is
805 no longer a resident of the Commonwealth.

Article 7.

Ethics Orientation Sessions.

§ 30.1-235. Orientation sessions on ethics and conflicts of interests.

The Council shall conduct an orientation session on ethics and conflicts of interests (i) for new and returning legislators preceding each even-numbered year regular session and (ii) for any new legislator who is elected in a special election and whose term commences after the date of the orientation session provided for in clause (i) and at least six months before the date of the next such orientation session within three months of his election. Attendance at the full orientation session shall be mandatory for newly elected legislators. Attendance at a refresher session shall be mandatory for returning legislators and may be accomplished by online participation. There shall be no penalty for the failure of a legislator to attend the full or refresher orientation session, but each legislator must disclose his attendance pursuant to § 30.1-214.

§ 30.1-236. Content of orientation sessions.

The orientation session shall provide information and training for legislators on ethics and conflicts of interests, the provisions of this chapter, the provisions of relevant federal law, and related issues involving lobbying. Refresher orientation sessions may be offered online.

§ 30.1-237. Orientation session preparations.

Those conducting the orientation sessions may call on other governmental agencies in the legislative or executive branch for assistance, may invite experts to assist in the orientation sessions, and shall, upon request of a legislator who holds a professional license or certification, apply for continuing education credits with the appropriate licensing or certifying entity for the orientation sessions.

SUBTITLE II.

SIXTH PART. *THE LEGISLATIVE BRANCH OF GOVERNMENT.*

CHAPTER 3.

OFFICERS OF THE GEN

Article 1.

The Clerks of the General Assembly.

§ 30.1-300. Duties of the Clerks of each house; operation of the General Assembly.
A. The Clerks of each house of the General Assembly shall perform such duties as shall be required of them by their respective houses and shall each receive such salaries as shall be fixed from time to time by the general appropriation act.

B. The Clerks of each house are authorized to employ such personnel as may be deemed necessary for the efficient operation of the General Assembly, including each of its standing committees approved by the Committee on Rules of the appropriate house, as prescribed by the rules or resolutions of the respective houses. The compensation of such personnel shall be set by resolution, and such personnel shall be paid from the contingent fund of each house.

C. The maintenance, operation, upkeep, upgrades, and construction of the General Assembly Building and other legislative spaces shall be overseen and directed by the Clerks of each house acting jointly, except that the Clerks shall be responsible for their respective spaces in the General Assembly Building or any other legislative space.

D. The Clerks of each house shall jointly administer the Capitol Guides program.

E. Executive orders or other directives issued by the Governor or other executive branch agency that relate to purchasing, finance, or information technology are not applicable to the legislature, as a separate and distinct branch of government, except in the event that the Clerks of the House of Delegates and the Senate jointly determine, subject to the agreement of the Speaker of the House of Delegates and the Chair of the Senate Committee on Rules, that compliance with such order or directive is in the best interest of the legislature.

F. The Clerks of each house are authorized to agree to or enter into any memorandum of understanding or other agreement with any executive branch agency or private vendor for any services.

§ 30.1-301. Clerk of the House of Delegates to be Keeper of the Rolls of the Commonwealth; certification of acts and other records.

A. The Clerk of the House of Delegates shall be the Keeper of the Rolls of the Commonwealth. He shall, by such permanent and substantial method as he may deem proper, enroll all of the acts of the General Assembly and joint resolutions proposing amendments to the Constitution and shall reenroll all bills that have been amended in accordance with the recommendation of the Governor. He shall have the enrolled acts bound for publication after they have been signed by the Speaker of the House of Delegates and the President of the Senate.

B. The Clerk of the House of Delegates shall have custody of the acts and joint resolutions of the General Assembly and the records of the House of Delegates. He shall, upon request, provide a copy of an act of assembly or a record made in the performance of his official duties, and such copy shall be as admissible into

865 evidence as the original, provided that such copy is certified by him as a true copy of such act or record.

866 The Clerk shall charge a reasonable fee for certifying a copy of an act of assembly.

867 If an act or part of an act of the General Assembly has been codified and assigned a section number
868 within the Code of Virginia by the Virginia Code Commission pursuant to § 30.1-812, the Clerk may also
869 certify that fact.

870 C. The Clerk of the House of Delegates shall, as soon as practicable after every act is enacted, prepare
871 the acts for publication with a notation of the day upon which every act was approved by the Governor or
872 became law without his approval. He shall furnish to the Director of the Division of Legislative Automated
873 Systems an electronic copy of all acts of the General Assembly and joint resolutions proposing amendments
874 to the Constitution and joint resolutions providing for studies for legislation, properly arranged for
875 publication. As soon as practicable after the adjournment of the General Assembly, he shall furnish the index
876 and the tables required by law and the date of adjournment of the session and shall oversee the publication of
877 such acts, joint resolutions, resolutions, date of adjournment, tables, and index in connection with the
878 Director of the Division of Legislative Automated Systems.

879 D. The Clerk of the House of Delegates, as Keeper of the Rolls of the Commonwealth, may appoint deputy
880 clerks who shall, during the absence of such Clerk or after his death, resignation, or retirement, furnish
881 copies of acts and resolutions of the General Assembly and records and papers of the House of Delegates,
882 which when certified by any such deputy clerk shall be evidence for any purpose for which the original would
883 be received, and with as much effect. The Clerk of the House of Delegates shall certify the appointment of any
884 such deputy clerk to the Secretary of the Commonwealth. Any deputy clerk so appointed shall, before
885 entering upon the duties of such office, take and subscribe the oath of office and file the same with the
886 Secretary of the Commonwealth. Any deputy clerk may be removed from office by the Clerk, who shall
887 provide written notice of such removal to the Secretary of the Commonwealth.

888 **§ 30.1-302. Clerk of the Senate of Virginia; certification of records.**

889 The Clerk of the Senate of Virginia may appoint deputy clerks who shall, during the absence of such Clerk
890 or after his death, resignation, or retirement, perform the duties of such Clerk, including signing originals of
891 records and papers of the Senate or furnishing copies of such records and papers, which when certified by
892 any such deputy clerk, shall be evidence for any purpose for which the original would be received, and with
893 as much effect. The Clerk of the Senate shall certify the appointment of any such deputy clerk to the Secretary
894 of the Commonwealth. Any deputy clerk so appointed shall, before entering upon the duties of such office,
895 take and subscribe the oath of office and file the same with the Secretary of the Commonwealth. Any deputy
896 clerk may be removed from office by the Clerk of the Senate, who shall provide written notice of such
897 removal to the Secretary of the Commonwealth.

898 **§ 30.1-303. Clerks as custodians of original bills and committee reference materials.**

899 It shall be the duty of the Clerks of each house to take charge of and keep, during the recess of the
900 General Assembly, all the books and maps belonging to the several standing committees of their respective
901 houses and to deliver the same at the commencement of each session to the clerks or chairs of such
902 committees, who shall return them to the respective Clerk at the end of the session. All original bills and
903 resolutions that are offered in either house shall be maintained by the respective Clerk until the close of the
904 session of the General Assembly next succeeding the session at which they were offered, at which time they
905 shall be transferred to The Library of Virginia for archival deposit.

906 **§ 30.1-304. Use of Senate armorial bearings; penalties.**

907 A. Only current and former members of the Senate of Virginia and the Clerk of the Senate shall have the
908 authority to utilize the official armorial bearings adopted by the Senate of Virginia or any facsimile or
909 representations of the armorial bearings. Use by any other person is punishable as a Class 3 misdemeanor.

910 B. Representations of such armorial bearings used by former members of the Senate shall be colored blue.
911 Use of any other color is punishable as a Class 4 misdemeanor.

912 C. No person shall use the Senate armorial bearings, or any facsimile or representation of such, for any
913 commercial purpose. A violation of this subsection is punishable as a Class 4 misdemeanor.

914 **§ 30.1-305. Sexual harassment training course; recordkeeping.**

915 A. As used in this section "sexual harassment" means unwelcome sexual advances, requests for sexual
916 favors, and other verbal or physical conduct of a sexual nature when such conduct explicitly or implicitly
917 affects an individual's employment, unreasonably interferes with an individual's work performance, or
918 creates an intimidating, hostile, or offensive work environment.

919 B. The Clerk of the House of Delegates and the Clerk of the Senate shall develop and provide a sexual
920 harassment training course for members of their respective body and other employees of the legislative
921 branch. The sexual harassment training course shall be (i) provided online; (ii) available 24 hours per day,
922 seven days per week; and (iii) substantially similar to any sexual harassment training course offered through
923 the Commonwealth of Virginia Learning Center administered by the Department of Human Resource
924 Management.

925 The content of the sexual harassment training course provided by the Clerks of each house shall be
926 substantially similar.

927 C. The Clerks of each house shall each ensure that the sexual harassment training course developed and
928 provided by their office has the means by which a person successfully completing the training course may
929 print a certificate of course completion that includes the person's name, the name of the state agency
930 employing the person, the date on which the training was successfully completed, the name of the training
931 course, and a unique serial number or other unique identifying information for each certificate.

932 D. The Clerks of each house shall maintain records of course completion for the members and members-
933 elect elected to their respective body. Each record at a minimum shall include the name of the General
934 Assembly member or member-elect completing the training, the date on which the training was successfully
935 completed, and the name of the training course. Such records shall be maintained by the Clerks for at least
936 five years for public inspection.

Article 2.

Officers and Employees of the Legislative Branch.

§ 30.1-306. Privileges of officers and employees of the General Assembly.

940 The officers and employees of the General Assembly, including the Clerks of each house and their deputy
941 clerks and full-time assistant clerks, the sergeant-at-arms of each house, and the Lieutenant Governor, shall
942 be entitled to those rights and privileges granted to members and members-elect of the General Assembly
943 pursuant to §§ 30.1-101, 30.1-104, and 30.1-105.

§ 30.1-307. Sexual harassment training required biennially.

945 A. As used in this section, unless the context requires a different meaning:

946 "Legislative branch employee" means any full-time employee of the General Assembly or other legislative
947 branch agency of the Commonwealth and includes persons working full-time for a member of the General
948 Assembly who are compensated in whole or in part with state appropriations.

949 "Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or
950 physical conduct of a sexual nature when such conduct explicitly or implicitly affects an individual's
951 employment, unreasonably interferes with an individual's work performance, or creates an intimidating,
952 hostile, or offensive work environment.

953 "Sexual harassment training course" means the sexual harassment training courses developed and
954 provided by either the Clerk of the House of Delegates or the Clerk of the Senate pursuant to § 30.1-305.

955 B. All legislative branch employees shall complete a sexual harassment training course once every two
956 calendar years. Legislative branch employees who are officers or employees of the Office of the Clerk of the
957 House of Delegates or who work for a member of the House of Delegates shall complete the sexual
958 harassment training course provided by the Clerk of the House of Delegates. Legislative branch employees
959 who are officers or employees of the Office of the Clerk of the Senate or who work for a member of the Senate
960 shall complete the sexual harassment training course provided by the Clerk of the Senate. All other
961 legislative branch employees shall complete the sexual harassment training course provided by either the
962 Clerk of the House of Delegates or the Clerk of the Senate.

963 C. A legislative branch employee shall complete the sexual harassment training course within 90 days of
964 commencing employment, except that no employee shall be required to complete such training course more
965 than once in a 12-month period. A legislative branch employee who commences employment having
966 successfully completed the sexual harassment training course in the immediately preceding 12 months shall
967 complete such training course within one calendar year and thereafter once every two calendar years.

968 D. The director or head of each agency in the legislative branch shall be responsible for ensuring that
969 each employee of such agency complies with the requirements of this section.

Article 3.

Virginia Commission on Intergovernmental Cooperation.

§ 30.1-308. Virginia Commission on Intergovernmental Cooperation; membership; staff; compensation 973 and expenses; quorum.

974 A. The Virginia Commission on Intergovernmental Cooperation (the Commission) is established in the
975 legislative branch of state government. The Commission shall have a total membership of 14 members that
976 shall include 12 legislative members and two ex officio members. Members shall be appointed as follows:

977 1. Six members of the Commission on Interstate Cooperation of the Senate to be appointed by the Senate
978 Committee on Rules; and

979 2. Six members of the Commission on Interstate Cooperation of the House of Delegates to be appointed by
980 the Speaker of the House of Delegates.

981 The Clerk of the House of Delegates and the Clerk of the Senate shall serve ex officio with nonvoting
982 privileges.

983 B. The chair and vice-chair of the Commission shall serve for a period of two years, and the roles of chair
984 and vice-chair shall alternate between the chair of the House Commission on Interstate Cooperation and the
985 chair of the Senate Commission on Interstate Cooperation.

986 C. The Commission shall select such officials of state government as it deems proper to serve ex officio
987 with nonvoting privileges for terms of four years each.

988 D. The Division of Legislative Services shall furnish upon request such staff assistance and services to the

989 *Commission and its committees as may be required by the Commission.*

990 *E. Members of the Commission shall receive such compensation as provided in § 30.1-109 and shall be*
 991 *reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided*
 992 *in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be*
 993 *provided from existing appropriations to the Commission.*

994 *F. A majority of the members of the Commission shall constitute a quorum. Meetings of the Commission*
 995 *shall be held at the call of the chair or whenever the majority of the members so request.*

996 **§ 30.1-309. Powers and duties of Commission.**

997 *The Commission shall have the following powers and duties:*

998 *1. Encourage and arrange conferences with officials of other states and other units of government;*
 999 *2. Carry forward the participation of the Commonwealth as a member of the Council of State*
 1000 *Governments, both regionally and nationally;*

1001 *3. Formulate proposals for cooperation between the Commonwealth and other states;*

1002 *4. Establish such committees as it deems advisable to conduct conferences and formulate proposals*
 1003 *concerning subjects of interstate cooperation;*

1004 *5. Monitor and evaluate the Commonwealth's participation in interstate compacts;*

1005 *6. Review, evaluate, and recommend suggested uniform state legislation;*

1006 *7. Require, at its discretion, from any appointee representing the Commonwealth on any interstate*
 1007 *compact, commission, committee, or board, a report on that organization's work and accomplishments;*

1008 *8. Review, evaluate, and make recommendations concerning federal policies that are of concern to the*
 1009 *Commonwealth;*

1010 *9. Establish such committees as deemed advisable and designate the members of every such committee.*

1011 *State officials who are not members of the Commission may be appointed as members of any such committee,*
 1012 *but at least one member of the Commission shall be a member of every such committee; and*

1013 *10. Appoint persons drawn from the membership of the Senate, the membership of the House of*
 1014 *Delegates, and officials of state and local government to serve on those intergovernmental boards,*
 1015 *committees, and commissions to which the Commonwealth is entitled to such appointment, or is invited to*
 1016 *make such appointment, provided that members of the General Assembly shall be appointed as follows:*

1017 *a. If an appointment is made from the membership of the Senate, such an appointment shall be made by*
 1018 *the Commission on Interstate Cooperation of the Senate and shall be approved by the Chair of the Senate*
 1019 *Committee on Rules; and*

1020 *b. If an appointment is made from the membership of the House of Delegates, such appointment shall be*
 1021 *made by the Speaker of the House of Delegates in accordance with the principles of proportional*
 1022 *representation contained in the Rules of the House of Delegates.*

1023 *The Commission may provide such rules as it considers appropriate concerning the membership and the*
 1024 *functioning of any committee established.*

1025 **§ 30.1-310. Senate and House Commissions on Interstate Cooperation; membership; compensation**
 1026 **and expenses; quorum.**

1027 *A. There is established a Commission on Interstate Cooperation of the Senate (the Senate Commission) in*
 1028 *the legislative branch of state government, to consist of six senators as follows: the Chair of the Senate*
 1029 *Committee on Rules, who shall serve as chair of the Senate Commission, and five members appointed by the*
 1030 *Senate Committee on Rules.*

1031 *B. There is established a Commission on Interstate Cooperation of the House of Delegates (the House*
 1032 *Commission) in the legislative branch of state government, to consist of six members. The members shall be*
 1033 *appointed and the chair of the House Commission shall be designated from among the membership of the*
 1034 *House Commission by the Speaker of the House of Delegates in accordance with the principles of*
 1035 *proportional representation as contained in the Rules of the House of Delegates.*

1036 *C. The Senate and House Commissions shall function during the regular sessions of the General Assembly*
 1037 *and also during the interim periods between such sessions. Members appointed and designated shall serve*
 1038 *terms coincident with their terms of office.*

1039 *D. Members of the Senate and House Commissions shall receive such compensation as provided in*
 1040 *§ 30.1-109 and shall be reimbursed for all reasonable and necessary expenses incurred in the performance of*
 1041 *their duties pursuant to § 30.1308 and this section as provided in §§ 2.2-2813 and 2.2-2825. Funding for the*
 1042 *costs of compensation and expenses of the members shall be provided from existing appropriations to the*
 1043 *Virginia Commission on Intergovernmental Cooperation.*

1044 *E. A majority of the members shall constitute a quorum on each commission. Meetings of each*
 1045 *commission shall be held at the call of the chair or whenever a majority of the members so request.*

1046 **CHAPTER 4.**

1047 **LEGISLATIVE PROCESS AND PROCEDURES.**

1048 **Article 1.**

1049 **Procedures of the Legislative Session.**

1050 **§ 30.1-400. Deadline for requesting bills and resolutions.**

1051 A. The deadline for submitting drafting requests to the Division of Legislative Services for a bill or
1052 resolution to be prefiled and the deadline for prefiling a bill or resolution with the appropriate Clerk shall be
1053 established by the procedural resolution adopted by the General Assembly or, in default thereof, adopted by
1054 the Joint Rules Committee.

1055 B. All drafting requests from the Governor, a Governor's Secretary, the Lieutenant Governor, the
1056 Attorney General, or the head of any judicial, legislative, or independent agency shall be submitted to the
1057 Division of Legislative Services on or before the same deadline for submitting drafting requests applicable to
1058 members of the General Assembly established pursuant to this section. Requests from the Governor may also
1059 be submitted in accordance with the procedures established by the Joint Rules Committee for the conduct of
1060 business during a legislative session.

1061 **§ 30.1-401. Prefiling of bills and resolutions.**

1062 A. 1. Any member or member-elect of the next regular session of the General Assembly may prefile bills
1063 and resolutions for even-numbered-year regular sessions beginning the third Monday in November of the
1064 preceding year with the Clerk of the House of Delegates or the Clerk of the Senate as appropriate.

1065 2. Any member or member-elect of the General Assembly may prefile bills and resolutions for odd-
1066 numbered-year regular sessions beginning the third Monday in July of the preceding year with the Clerk of
1067 the House of Delegates or the Clerk of the Senate as appropriate.

1068 B. In the event of the convening of a special session of the General Assembly, only bills relating to the
1069 stated purpose of such special session and resolutions affecting the rules of procedure or schedule of
1070 business of the General Assembly may be prefiled as provided in subsection A. Such prefiling may begin on
1071 the day on which either (i) the Governor announces the date on which such special session is to convene or
1072 (ii) two-thirds of the members elected to each house of the General Assembly make application to the
1073 Governor for the convening of such special session.

1074 C. The Clerk of the House of Delegates and the Clerk of the Senate shall assign numbers to prefiled bills
1075 and resolutions in the order of their receipt, refer them to the appropriate committee with the advice of the
1076 Speaker of the House of Delegates, in the case of House bills, and in accordance with the Rules of the Senate,
1077 in the case of Senate bills, and have a sufficient number of such bills and resolutions printed for circulation.

1078 **§ 30.1-402. Electronic filing of floor substitute bills, conference committee reports, and substitute bills
1079 accompanying such reports; access.**

1080 Copies of all floor substitute bills, conference committee reports, and substitute bills accompanying a
1081 conference committee report shall be placed in a secure electronic file immediately following the final
1082 drafting of such bills and reports. The Clerk of the House of Delegates or the Clerk of the Senate or their
1083 employee designees may access such files after such bills or reports are offered for introduction in either
1084 house.

1085 **§ 30.1-403. Keeper of the Rolls may correct typographical errors, misspellings, and other unmistakable
1086 errors in bills and resolutions; notice to Virginia Code Commission.**

1087 A. The Keeper of the Rolls of the Commonwealth is authorized to correct typographical errors,
1088 misspellings, and other unmistakable errors contained in bills and resolutions in the form that they are
1089 offered, printed, engrossed, enrolled, or printed after passage, provided that the corrections do not in any
1090 way alter the substantive legal meaning or effect of the bill or resolution. Such determination shall be made
1091 in consultation with the Director of the Division of Legislative Services or his designee, who shall also be an
1092 experienced lawyer and member of the bar of the Commonwealth.

1093 B. Any correction made in a bill or resolution to existing language in the Code of Virginia that is not
1094 being amended or added to the Code of Virginia shall be communicated to the Virginia Code Commission
1095 immediately following each regular session of the General Assembly to ensure such corrections are
1096 incorporated into the Code of Virginia as part of the Virginia Code Commission's duty to codify session laws
1097 pursuant to § 30.1-812.

1098 **§ 30.1-404. Alteration, secretion, or destruction of bills or resolutions; penalty.**

1099 Any person who fraudulently erases, alters, secretes, or destroys any bill, resolution, or amendment after
1100 its introduction or endeavors to influence any officer or employee of the General Assembly to do the same
1101 shall be punished by a term of imprisonment of not less than one year nor more than five years.

1102 **§ 30.1-405. Amendments to the Constitution.**

1103 Any amendment to the Constitution may be proposed in the House of Delegates or the Senate by
1104 resolution, which shall contain such proposed amendment prepared in the form prescribed by the rules of the
1105 House of Delegates and the Senate for deletions and additions of language and shall be presented in full in
1106 the journal of the house in which it is offered. If it is agreed to by a majority of the members elected to such
1107 house with ayes and noes taken, it shall be communicated to the other house where it shall be dealt with in
1108 like manner. When so agreed to by both houses, it shall be enrolled as provided by law and signed by the
1109 Speaker of the House of Delegates and the President of the Senate. Such amendment shall then stand referred
1110 to the General Assembly at its first regular session held after the next general election of members of the
1111 House of Delegates. If at such regular session the proposed amendment is agreed to by a majority vote of all
1112 the members elected to each house, the same shall be submitted to voters, not sooner than 90 days after final

1113 *passage, by a bill or resolution introduced for such purpose. Such amendment shall become a part of the*
 1114 *Constitution if approved and ratified by a majority of qualified voters.*

1115 **§ 30.1-406. Attendance of witnesses; production of evidence; administration of oaths to witnesses.**

1116 *A. When the House of Delegates, the Senate, or a joint committee or commission thereof, or any*
 1117 *committee of either house authorized to send for witnesses and evidence, orders the attendance of a witness*
 1118 *or the production of evidence, a summons shall be issued accordingly by the Clerk of the appropriate house*
 1119 *to the sheriff or other officer of any county or city, or the chief officer of the Division of Capitol Police, or his*
 1120 *designee. Such summons may be enforced by attachment, fine, and imprisonment in jail at the discretion of*
 1121 *the house or the committee that caused the summons to issue, or in the case of a joint committee or*
 1122 *commission, at the discretion of such joint committee or commission or as the two houses may determine by*
 1123 *joint resolution.*

1124 *B. The oaths to be taken by any witness examined pursuant to this section may be administered by the*
 1125 *Clerk or presiding officer of the appropriate house.*

1126 **Article 2.**

1127 *Impact Statements and Other Legislative Requirements.*

1128 **§ 30.1-407. Expiration provisions for bills creating advisory collegial bodies.**

1129 *All bills creating an advisory board, council, commission, or other collegial body in the legislative or*
 1130 *executive branch of state government shall contain a provision requiring the expiration of such body three*
 1131 *years after its creation.*

1132 **§ 30.1-408. Expiration date for bills that add or renew a state tax credit.**

1133 *Any bill proposing to add a new state tax credit or renew an existing state tax credit shall contain an*
 1134 *expiration date of not longer than five years from the effective date of the new or renewed state tax credit.*

1135 **§ 30.1-409. Impact statements for bills related to unemployment compensation and affecting net**
 1136 **revenues of the Commonwealth.**

1137 *A. For purposes of this section, a bill that "enhances the benefits payable to an individual" includes any*
 1138 *bill that would facilitate the receipt of, or increase the amount of, unemployment compensation benefits that*
 1139 *an otherwise qualified claimant is eligible to receive on an annual basis.*

1140 *B. The Virginia Employment Commission, in consultation with the Department of Planning and Budget,*
 1141 *shall prepare a statement reflecting the projected impact on the solvency level of the unemployment trust fund*
 1142 *and the average increase in state unemployment tax liability of employers on a per-employee basis over the*
 1143 *ensuing eight years that would result from the enactment of any bill that enhances the benefits payable to an*
 1144 *individual pursuant to Title 60.2.*

1145 *C. Any bill enhancing the benefits payable to an individual pursuant to Title 60.2 shall contain a*
 1146 *statement prepared in accordance with subsection B as an enactment clause in the bill.*

1147 **§ 30.1-410. Evaluations for bills increasing or beginning regulation of an occupation.**

1148 *A. For purposes of this section, "regulation" means any statement of general application that has the*
 1149 *force of law, affects the rights or conduct of any person, and is adopted by an agency in accordance with the*
 1150 *authority conferred on it by the Constitution and applicable statutes of the Commonwealth.*

1151 *B. When any bill requiring the Department of Professional and Occupational Regulation to increase or*
 1152 *begin regulation of an occupation is filed during any session of the General Assembly, the chair of the*
 1153 *committee having jurisdiction over the proposed bill shall request that the Board for Professional and*
 1154 *Occupational Regulation prepare an evaluation of the bill using the criteria outlined in § 54.1-311.*

1155 *C. Upon receipt of such a request, the Board for Professional and Occupational Regulation shall prepare*
 1156 *the evaluation and forward copies of such evaluation to the Clerk of the House of Delegates for House bills*
 1157 *and to the Clerk of the Senate for Senate bills no later than November 1 of the same year for requests*
 1158 *received during a regular session of the General Assembly or as soon as practicable for requests received*
 1159 *during a special session of the General Assembly for transmittal to each patron of the bill and to the chair of*
 1160 *each committee of the General Assembly that will consider the bill.*

1161 *D. All departments, all agencies of government, and the Division of Legislative Services shall make*
 1162 *available such information and assistance as the Board for Professional and Occupational Regulation may*
 1163 *request in preparing the evaluations required by this section.*

1164 **§ 30.1-411. Impact statements for bills related to the Virginia Retirement System.**

1165 *In accordance with a joint resolution that establishes a schedule for the conduct of business coming*
 1166 *before a regular session of the General Assembly, for any proposed bill related to the Virginia Retirement*
 1167 *System the Board of Trustees of the Virginia Retirement System shall investigate, prepare, and submit to the*
 1168 *Clerk of the House of Delegates, the Clerk of the Senate, the Commission on Local Government, the House*
 1169 *Committee on Appropriations, and the Senate Committee on Finance and Appropriations a statement of (i)*
 1170 *the financial impact of such proposed bill upon the general fund and the various local governments that have*
 1171 *elected to become part of the Virginia Retirement System pursuant to § 51.1-800 and (ii) the policy*
 1172 *implications that such proposed bill will have on the various systems administered by the Board of Trustees*
 1173 *of the Virginia Retirement System. The Board of Trustees of the Virginia Retirement System shall note in such*
 1174 *statement the potential impact any introduced bill will have on local government independent retirement*

1175 systems.

1176 **§ 30.1-412. Estimates for bills affecting local government expenditures and revenues.**

1177 A. For purposes of this section:

1178 "Net additional expenditure" means the cost anticipated to be incurred annually, less any revenues
1179 receivable on account of the program or service from fees charged to recipients of the program or service,
1180 state or federal aid paid specifically and categorically in connection with the program or service, new or
1181 increased local sources of revenue authorized and designated specifically to offset the cost of the program or
1182 service, and any offsetting savings resulting from the reduction or elimination of any program or service
1183 directly attributable to the performance of the required program or service.

1184 "Net reduction of revenues" means the reduction anticipated in local revenues, including general levies,
1185 special levies, revenues received pursuant to §§ 58.1-605 and 58.1-606, and administrative and user fees, to
1186 be incurred annually, less any new local revenues receivable and any offsetting savings resulting from the
1187 reduction of local revenues, caused by the classification or exclusion being proposed.

1188 B. Whenever any bill requiring a net additional expenditure by any county, city, or town, or whenever any
1189 bill requiring a net reduction of revenues by any county, city, or town, is filed during any session of the
1190 General Assembly, the Commission on Local Government shall investigate and prepare an estimate setting
1191 forth, to the extent practicable, the additional expenditures or reduction of revenues, if any, to be required of
1192 the affected localities in event of enactment of such bill.

1193 1. A bill shall be deemed to require an expenditure if it has the effect of requiring any county, city, or town
1194 to (i) perform or administer a new or expanded program or service, (ii) maintain an existing program or
1195 service at a specified level of spending or delivery, (iii) assume or incur administrative costs in support of a
1196 state or state-related program, or (iv) furnish capital facilities for state or state-related activities.

1197 2. A bill shall be deemed to require a net reduction of revenues if it has the effect of requiring any county,
1198 city, or town to (i) relinquish an existing or potential source of local revenue by classification or exclusion or
1199 (ii) diminish an existing or potential source of revenue by classification or exclusion.

1200 C. This section shall not apply to a reduction in local revenues that is required by or arises from a court
1201 order or judgment, nor to a revenue reduction that is adopted at the option of any county, city, or town under
1202 a law that is permissive rather than mandatory, nor to a revenue reduction that is the result of a measure
1203 providing tax relief on a statewide basis.

1204 D. The Division of Legislative Services shall examine all bills and joint resolutions filed during any
1205 legislative session for the purpose of identifying and forwarding to the Commission on Local Government
1206 those bills requiring the preparation of fiscal estimates pursuant to this section and those joint resolutions
1207 calling for a study of local government revenues or expenditures. The Department of Planning and Budget
1208 and the Department of Taxation are authorized to submit bills to the Commission on Local Government to
1209 prepare local fiscal estimates.

1210 As soon as practicable, the Commission on Local Government shall forward copies of such estimates to
1211 the Clerk of the House of Delegates for House bills and the Clerk of the Senate for Senate bills for transmittal
1212 to each patron of the bill and to the chair of each committee of the General Assembly that will consider the
1213 bill.

1214 E. All departments, all agencies of government, the Division of Legislative Services, and all local
1215 governmental units of the Commonwealth shall make available such information and assistance as the
1216 Commission on Local Government may request in preparing the estimates required by this section.

1217 **§ 30.1-413. Fiscal impact statements for bills increasing imprisonment or commitment; appropriations
1218 for operating costs.**

1219 A. For purposes of this section, "operating costs" means all costs other than capital outlay costs.

1220 B. The Virginia Criminal Sentencing Commission shall prepare a fiscal impact statement reflecting the
1221 operating costs attributable to and necessary appropriations for any bill that would result in a net increase in
1222 periods of imprisonment in state adult correctional facilities. The Department of Planning and Budget shall
1223 annually provide the Virginia Criminal Sentencing Commission with the operating cost per inmate.

1224 C. The Department of Planning and Budget, in conjunction with the Department of Juvenile Justice, shall
1225 prepare a fiscal impact statement reflecting the operating costs attributable to and necessary appropriations
1226 for any bill that would result in a net increase in periods of commitment to the custody of the Department of
1227 Juvenile Justice.

1228 D. The requirement for a fiscal impact statement includes those bills that add new crimes for which
1229 imprisonment or commitment is authorized, increase the periods of imprisonment or commitment authorized
1230 for existing crimes, impose minimum or mandatory minimum terms of imprisonment or commitment, or
1231 modify the law governing release of prisoners or juveniles in such a way that the time served in prison, or the
1232 time committed to the custody of the Department of Juvenile Justice, will increase.

1233 E. The fiscal impact statement of any bill that would result in a net increase in periods of imprisonment in
1234 state correctional facilities or periods of commitment to the custody of the Department of Juvenile Justice
1235 shall include an analysis of the fiscal impact on local and regional jails, state and local pretrial and
1236 community-based probation services agencies, and juvenile detention facilities.

1237 *F. The amount of the estimated appropriation reflected in the fiscal impact statement shall be printed on*
 1238 *the face of each such bill but shall not be codified. If the agency responsible for preparing the fiscal impact*
 1239 *statement does not have sufficient information to project the impact, the fiscal impact statement shall state*
 1240 *this, and the words "cannot be determined" shall be printed on the face of each such bill.*

1241 *G. The fiscal impact statement shall include details as to any increase or decrease in the offender*
 1242 *population. Statements prepared by the Virginia Criminal Sentencing Commission shall detail any necessary*
 1243 *adjustments in guideline midpoints for the crime affected by the bill as well as adjustments in guideline*
 1244 *midpoints for other crimes affected by the implementation of the bill that, in the opinion of the Commission,*
 1245 *are necessary and appropriate.*

1246 *H. The agency preparing the fiscal impact statement shall forward copies of such impact statements to the*
 1247 *Clerk of the House of Delegates for House bills and the Clerk of the Senate for Senate bills for transmittal to*
 1248 *each patron of the bill and to the chair of each committee of the General Assembly that will consider the bill.*

1249 *I. For each law enacted that results in a net increase in periods of imprisonment in state correctional*
 1250 *facilities or a net increase in periods of commitment or the time committed to the custody of the Department*
 1251 *of Juvenile Justice, a one-year appropriation shall be made from the general fund equal to the estimated*
 1252 *increase in operating costs of such law, in current dollars, of the highest of the next six fiscal years following*
 1253 *the effective date of the law.*

1254 *J. The Corrections Special Reserve Fund (the Fund) is hereby established as a nonreverting special fund*
 1255 *on the books of the Comptroller. The Fund shall consist of all moneys appropriated by the General Assembly*
 1256 *under the provisions of this section and all interest thereon. Any moneys deposited in the Fund shall remain*
 1257 *in the Fund at the end of the biennium. Moneys in the Fund shall be expended solely for capital expenses,*
 1258 *including the cost of planning or preplanning studies that may be required to initiate capital outlay projects.*

1259 **§ 30.1-414. Racial and ethnic impact statements for criminal justice bills.**

1260 *A. As used in this section:*

1261 *"Disparities" means the difference in criminal justice outcomes for a racial or ethnic subgroup compared*
 1262 *to their share of the state population.*

1263 *"Racial and ethnic impact statement" means a statement created using available data to outline the*
 1264 *potential impact of a criminal justice bill on racial and ethnic disparities within the Commonwealth.*

1265 *B. At the request of the Chair of the House Committee for Courts of Justice or the Chair of the Senate*
 1266 *Committee for Courts of Justice, the Joint Legislative Audit and Review Commission shall review and*
 1267 *prepare a racial and ethnic impact statement for a proposed criminal justice bill.*

1268 *C. The Joint Legislative Audit and Review Commission shall forward copies of the racial and ethnic*
 1269 *impact statement prepared pursuant to this section to the patron of the bill and the Chair of the House*
 1270 *Committee for Courts of Justice or the Chair of the Senate Committee for Courts of Justice, as appropriate.*

1271 *D. The Chair of the House Committee for Courts of Justice and the Chair of the Senate Committee for*
 1272 *Courts of Justice may each request up to three racial and ethnic impact statements for completion during a*
 1273 *single regular session of the General Assembly.*

1274 *E. Upon the request of the Joint Legislative Audit and Review Commission, the Office of the Executive*
 1275 *Secretary of the Supreme Court, Virginia State Police, Virginia Criminal Sentencing Commission,*
 1276 *Department of Corrections, and all other state agencies shall provide necessary data and assistance for the*
 1277 *preparation of racial and ethnic impact statements.*

1278 **§ 30.1-415. Distribution of information on proposed constitutional amendments to be submitted to**
 1279 **voters.**

1280 *A. For purposes of this section, "plain English" means written in nontechnical, readily understandable*
 1281 *language using words of common everyday usage and avoiding legal terms and phrases or other terms and*
 1282 *words of art whose usage or special meaning is primarily limited to a particular field or profession.*

1283 *B. When a proposed amendment is to be submitted to voters qualified to vote in elections by the people for*
 1284 *their approval and ratification pursuant to Article XII, Section 1 of the Constitution of Virginia and*
 1285 *§ 30.1-405, the Department of Elections shall cause to be printed and distributed to the general registrar of*
 1286 *each county and city, not less than 90 days prior to the election, copies of an explanation of such amendment*
 1287 *to be placed at each registration site in sufficient number to provide a copy to any interested person and to be*
 1288 *provided to election officials to be posted at the polling places on the day of the election. The Department of*
 1289 *Elections shall post the explanation on its website and shall cause such explanation to be published by paid*
 1290 *advertisement in each daily newspaper published in the Commonwealth or in a contiguous state or district*
 1291 *with an average daily circulation of more than 50,000 in the Commonwealth once during the week preceding*
 1292 *the final day for registration and once during the week preceding the election at which the proposed*
 1293 *amendment is to be presented to voters.*

1294 *C. The explanation required by subsection B shall contain the ballot question, the full text of the proposed*
 1295 *constitutional amendment, and a statement of not more than 500 words on such amendment. Such*
 1296 *explanation shall be presented in plain English, shall be limited to a neutral explanation, which may include*
 1297 *a brief statement on the effect of a "yes" and "no" vote on the question but shall not include arguments*
 1298 *submitted by either proponents or opponents of the proposed constitutional amendment.*

1299 *D. The Division of Legislative Services, in consultation with such agencies of state government as may be
1300 appropriate, including the Office of the Attorney General, shall prepare an explanation for any such
1301 proposed constitutional amendment that is approved by the General Assembly on second reference. The
1302 explanation shall be approved for distribution as to form and content by the Committee on Privileges and
1303 Elections of the first house of introduction of the resolution proposing the amendment as soon as practicable
1304 after enactment of the ballot question.*

1305 *E. Any failure to comply with the provisions of this section shall not affect the validity of the constitutional*
1306 *amendment.*

§ 30.1-416. Distribution of information on proposed questions to be submitted to voters.

A. For purposes of this section, "plain English" means the same as that term is defined in § 30.1-415.

1309 B. Whenever a statewide referendum on a matter other than a constitutional amendment is submitted to
1310 qualified voters by the General Assembly, the Department of Elections shall cause to be printed and
1311 distributed to the general registrar of each county and city, not less than 90 days prior to the election, copies
1312 of information about the referendum to be placed at each registration site in sufficient number to provide a
1313 copy to any interested person and to be provided to election officials to be posted at the polling places on the
1314 day of the election. The Department of Elections also shall cause the information to be published by paid
1315 advertisement in each daily newspaper published in the Commonwealth or in a contiguous state or district
1316 with an average daily circulation of more than 50,000 in the Commonwealth once during the week preceding
1317 the final day for registration and once during the week preceding the referendum.

C. The information required pursuant to subsection B shall contain the proposed ballot question and either (i) a neutral explanation of not more than 500 words on such question or (ii) for any bond referendum, a fiscal impact statement. The neutral explanation or the fiscal impact statement shall be presented in plain English and shall not present arguments by either proponents or opponents of the proposal. The fiscal impact statement shall include descriptions of the need for and anticipated uses of the bond proceeds.

1323 D. *The Division of Legislative Services, in consultation with such agencies of state government as may be
1324 appropriate, including the Office of the Attorney General, shall prepare the neutral explanation pursuant to
1325 clause (i) of subsection C as part of the bill or resolution authorizing the referendum. The staff of the House
1326 Committee on Appropriations and the Senate Committee on Finance and Appropriations shall each prepare
1327 a fiscal impact statement pursuant to clause (ii) of subsection C for any bond referendum and assist the
1328 Division of Legislative Services in preparing the neutral explanation as part of the bill or resolution
1329 authorizing the referendum.*

1330 E. Any failure to comply with the provisions of this section shall not affect the validity of the statewide
1331 referendum.

CHAPTER 5.

CHAPTER 5.
AUDITOR OF PUBLIC ACCOUNTS.

§ 30.1-500. Auditor of Public Accounts; election, term, and compensation; vacancy.

1335 The two houses of the General Assembly shall, by joint vote, elect the Auditor of Public Accounts for the
1336 term of four years, as provided in Article IV, Section 18 of the Constitution of Virginia, and he shall be
1337 compensated as provided in the general appropriation act. In the event that the position of Auditor of Public
1338 Accounts becomes vacant while the General Assembly is not in session, the Joint Legislative Audit and
1339 Review Commission shall appoint a successor to serve until 30 days after the commencement of the next
1340 regular session of the General Assembly.

§ 30.1-501. Official bonds.

1342 *The Auditor of Public Accounts and his employees shall be bonded in accordance with § 2.2-1840,*
1343 *conditioned upon the faithful discharge of their duties.*

§ 30.1-502. Employment of staff; location of offices.

1345 A. *The Auditor of Public Accounts may employ, with the approval of the Joint Legislative Audit and*
1346 *Review Commission, the necessary staff to enable him to carry out the provisions of this chapter.*

1347 *B. The Office of the Auditor of Public Accounts shall be located in the City of Richmond and shall be*
1348 *provided with suitable offices as are necessary to carry out the provisions of this chapter.*

§ 30.1-503. Powers and duties generally.

1350 A. The Auditor of Public Accounts shall audit all the accounts of every state department, officer, board,
1351 commission, institution, or other agency handling any state funds as determined necessary by the Auditor of
1352 Public Accounts. In the performance of such duties and the exercise of such powers, he may employ the
1353 services of certified public accountants, provided the cost of such employment shall not exceed such sums as
1354 may be available from the general appropriation act for the conduct of his office.

1355 B. If, at any time, the Auditor of Public Accounts discovers any unauthorized, illegal, irregular, or unsafe
1356 handling or expenditure of state funds, or if it comes to his attention that any such handling or expenditure of
1357 state funds is contemplated but not consummated, he shall promptly report such finding to the Governor, the
1358 Joint Legislative Audit and Review Commission, and the Comptroller. In the event that there is any
1359 irregularity in the accounts of the Comptroller, the Auditor of Public Accounts shall report such finding to
1360 the Governor and the General Assembly.

1361 C. The Auditor of Public Accounts shall review (i) the information required in § 2.2-1501 to determine
 1362 that state agencies are providing and reporting appropriate information on program and financial
 1363 performance measures and (ii) the accuracy of the management systems used to accumulate and report the
 1364 results. The Auditor of Public Accounts shall report to the General Assembly the results of such audits and
 1365 make recommendations, if indicated, for new or revised accountability or performance measures to be
 1366 implemented for the agencies audited.

1367 D. The Auditor of Public Accounts shall prepare, by November 1, a summary of the results of all of the
 1368 audits and other oversight responsibilities performed for the most recently ended fiscal year. The Auditor of
 1369 Public Accounts shall present this summary to the House Committee on Appropriations, the House
 1370 Committee on Finance, and the Senate Committee on Finance and Appropriations on the day the Governor
 1371 presents to the General Assembly the Executive Budget in accordance with §§ 2.2-1508 and 2.2-1509 or at
 1372 the direction of the respective Chair of the House Committee on Appropriations, the House Committee on
 1373 Finance, or the Senate Committee on Finance and Appropriations at one of their committee meetings prior to
 1374 the meeting above.

1375 E. As part of his normal oversight responsibilities, the Auditor of Public Accounts shall incorporate into
 1376 his audit procedures and processes a review process to ensure that the Commonwealth's payments to
 1377 counties, cities, and towns under Chapter 35.1 (§ 58.1-3523 et seq.) of Title 58.1 are consistent with the
 1378 provisions of § 58.1-3524. The Auditor of Public Accounts shall report to the Governor and the Chairs of the
 1379 House Committee on Appropriations and the Senate Committee on Finance and Appropriations annually any
 1380 material failure by a locality or the Commonwealth to comply with the provisions of Chapter 35.1 of Title
 1381 58.1.

1382 F. The Auditor of Public Accounts when called upon by the Governor shall examine the accounts of any
 1383 institution maintained in whole or in part by the Commonwealth; upon the direction of the Comptroller, the
 1384 Auditor of Public Accounts shall examine the accounts of any officer required to settle his accounts with the
 1385 Comptroller; and upon the direction of any other state officer at the seat of government, the Auditor of Public
 1386 Accounts shall examine the accounts of any person required to settle his accounts with such officer.

1387 G. Upon the written request of any member of the General Assembly, the Auditor of Public Accounts shall
 1388 furnish the requested information and provide technical assistance upon any matter requested by such
 1389 member.

1390 H. In compliance with the provisions of the federal Single Audit Act Amendments of 1996, P.L. 104-156,
 1391 the Joint Legislative Audit and Review Commission may authorize the Auditor of Public Accounts to audit
 1392 annually the accounts pertaining to federal funds received by state departments, officers, boards,
 1393 commissions, institutions, or other agencies.

1394 I. As part of the audits conducted pursuant to this section, the Auditor of Public Accounts shall review
 1395 compliance with requirements established pursuant to the provisions of § 2.2-519 and the requirements of the
 1396 Virginia Debt Collection Act (§ 2.2-4800 et seq.).

1397 **§ 30.1-504. Online database required.**

1398 A. The Office of the Auditor of Public Accounts shall compile and maintain on its website a database
 1399 providing certain state expenditure, revenue, and demographic information as described in this section. In
 1400 maintaining the database, the Auditor of Public Accounts shall work with and coordinate his efforts with the
 1401 Joint Legislative Audit and Review Commission in obtaining, summarizing, and compiling the information to
 1402 avoid duplication of efforts. By October 15 of each year, the Auditor of Public Accounts shall (i) update the
 1403 database to provide the information required in this section for the 10 most recently ended fiscal years of the
 1404 Commonwealth and (ii) distribute the website address of the database to newspapers of general circulation in
 1405 the Commonwealth.

1406 B. The database shall be made available to citizens of the Commonwealth to allow public access to
 1407 historical revenue collections and appropriations with related demographic information, to the extent that
 1408 the information is available and provided to the Auditor of Public Accounts. All state departments, courts
 1409 officers, boards, commissions, institutions, or other agencies of the Commonwealth shall furnish all
 1410 information requested by the Auditor of Public Accounts and shall cooperate with him to the fullest extent.

1411 C. For purposes of reporting information and implementing the database pursuant to this section, the
 1412 Auditor of Public Accounts shall include all appropriated funds and other sources under the control of public
 1413 institutions of higher education, except for the activity of private gifts, including endowment funds and
 1414 unrestricted gifts referenced in § 23.1-101. The exclusion of this activity does not affect the public access to
 1415 these records unless otherwise specifically exempted by law.

1416 D. The database shall contain the following for each of the 10 most recently ended fiscal years of the
 1417 Commonwealth:

1418 1. Major categories of spending by each secretariat and each agency and institution, including each
 1419 independent agency, and including within each major category a register of all funds expended, showing
 1420 vendor name, date of payment, amount, and a description of the type of expense, including credit card
 1421 purchases with the same information to the extent that the information exists. The database shall include the
 1422 name, phone number, and email address for a contact at the agency or institution who may be contacted for

1423 additional information;

1424 2. The number of full-time state employees for whom the annual rate of pay is more than \$10,000, an
1425 identifier associated with each such employee, and the actual salary, bonuses, and total compensation paid
1426 during the fiscal year to the employee associated with each identifier, organized by agency;

1427 3. Total fiscal year revenues from all sources broken down by funding source and computed on a per
1428 capita basis and as a percentage of personal income in the Commonwealth;

1429 4. Total fiscal year spending from federal sources broken down by major category;

1430 5. Population estimates for the Commonwealth by locality;

1431 6. Student enrollment in grades K through 12 by locality;

1432 7. Enrollment in public institutions of higher education of the Commonwealth by institution;

1433 8. Enrollment in private institutions of higher education in the Commonwealth by institution;

1434 9. The annual prison population;

1435 10. Virginia adjusted gross income and Virginia taxable income by locality;

1436 11. The number of citizens in the Commonwealth receiving benefits from the Supplemental Nutrition
1437 Assistance Program;

1438 12. The number of driver's licenses issued;

1439 13. The number of registered motor vehicles;

1440 14. The number of full-time private sector employees;

1441 15. The number of prepaid tuition contracts outstanding pursuant to Chapter 7 (§ 23.1-700 et seq.) of
1442 Title 23.1 and the estimated total liability under such contracts;

1443 16. Any state audit or report relating to the programs or activities of an agency;

1444 17. Information on capital outlay payments, including project title, funding date, completion date,
1445 appropriations, year-to-date expenditures, and unexpended appropriations;

1446 18. Annual bonded indebtedness that shall include the amount of the total original obligation stated in
1447 terms of principal and interest, the term of the obligation, the amounts of principal and interest previously
1448 paid to reduce the obligation, the balance remaining of the obligation, and any refinancing of the obligation;
1449 and

1450 19. Other data as the Auditor of Public Accounts deems appropriate relating to the Commonwealth.

1451 E. The Auditor of Public Accounts shall incorporate into the database the following additional elements
1452 as they become available through improved enterprise applications or other systems:

1453 1. Commodities, including line item expenditures;

1454 2. The descriptive purpose for a funding action or expenditure;

1455 3. The statute or act of the General Assembly authorizing the issuance of bonds; and

1456 4. Copies of actual grants and contracts.

1457 F. The Auditor of Public Accounts shall incorporate into the database the following enhancements:

1458 1. Graphs, charts, or other visual displays of aggregated data showing (i) current state spending by
1459 expense category, (ii) year-to-year state spending, and (iii) other data deemed appropriate by the Auditor of
1460 Public Accounts, including the display of available line item expenditures; and

1461 2. Frequently asked questions and their responses.

1462 **§ 30.1-505. Additional certifications for public institutions of higher education.**

1463 A. For purposes of this section, "public institution of higher education" means the same as that term is
1464 defined in § 23.1-100.

1465 B. In addition to all other responsibilities and duties required under law, the Auditor of Public Accounts
1466 shall promptly upon completion of the annual audit for each public institution of higher education certify in
1467 writing to the rector or chair of the board of visitors or other governing body of the institution, the
1468 Secretaries of Administration, Education, and Finance, and the Chairs of the House Committee on
1469 Appropriations, the House Committee on Finance, and the Senate Committee on Finance and Appropriations
1470 whether or not the institution meets all of the financial and administrative management standards currently
1471 in effect for public institutions of higher education pursuant to § 23.1-1001 and as may be included in the
1472 general appropriation act currently in effect. In addition, for any public institution of higher education
1473 required to develop and implement a plan of corrective action under § 23.1-1001, the Auditor of Public
1474 Accounts shall at the time of making the certification provide a written evaluation of the institution's progress
1475 in implementation of the plan and in meeting all of the financial and administrative management standards
1476 currently in effect.

1477 **§ 30.1-506. Annual review of the collection and distribution of retail sales and use taxes.**

1478 As part of the annual audit of the Department of Taxation, the Auditor of Public Accounts shall perform a
1479 review of the collection and distribution of the Retail Sales and Use Tax (§ 58.1-600 et seq.), with an
1480 important focus being the collection and distribution of local retail sales and use taxes. In addition to all
1481 other responsibilities and duties required under law, the Auditor of Public Accounts shall promptly upon
1482 completion of the annual review issue a report to the Chairs of the House Committee on Appropriations, the
1483 House Committee on Finance, and the Senate Committee on Finance and Appropriations and the Tax
1484 Commissioner of the Department of Taxation. All actions or requests for tax information by the Office of the

1485 Auditor of Public Accounts for the purpose of conducting the review shall be deemed to be performed in the
 1486 line of duty for purposes of § 58.1-3.

1487 **§ 30.1-507. Audit of accounts of city and county officers handling state funds; audit report; reimbursement of expenses.**

1489 A. At least once every two years, the Auditor of Public Accounts, either in person or through his staff,
 1490 shall audit all accounts and records of every city and county official and agency in the Commonwealth
 1491 handling state funds, making a detailed written report of any such audit to the Governor, the Joint Legislative
 1492 Audit and Review Commission, and appropriate local officials within 30 days after each audit. Such reports
 1493 shall be public records.

1494 B. Every city and county, the accounts and records of whose officials or agencies are audited in
 1495 accordance with subsection A, shall reimburse the Commonwealth to the extent of one-half of the expense
 1496 connected with the audit, to be paid into the state treasury by the Auditor of Public Accounts. All such sums
 1497 shall be placed by the Comptroller to the credit of the current appropriation made to the Auditor of Public
 1498 Accounts and may be used by him for the purpose of carrying out the provisions of subsection A.

1499 **§ 30.1-508. Inspection of accounts and vouchers; penalty.**

1500 A. The Auditor of Public Accounts or his deputy shall from time to time inspect and scrutinize the
 1501 accounts and vouchers of all state officers referred to in § 2.2-803.

1502 B. The Auditor of Public Accounts shall have access to records of all state institutions, departments, and
 1503 agencies and they shall furnish all information requested by the Auditor of Public Accounts and shall
 1504 cooperate with him to the fullest extent.

1505 C. Every inspection authorized by this section may be made without notice to the official whose accounts
 1506 are to be inspected. It shall be the duty of the official whose books and accounts and vouchers are being
 1507 inspected to produce such records and give the Auditor of Public Accounts or his deputy all necessary aid in
 1508 making the inspection. If any official fails to comply with the requirements of this subsection, he is guilty of a
 1509 Class 1 misdemeanor.

1510 **§ 30.1-509. Power as to witnesses; perjury.**

1511 The Auditor of Public Accounts or his deputy, while conducting any examination authorized by this
 1512 chapter, shall have power to (i) administer an oath to any person whose testimony may be required in any
 1513 such examination, (ii) compel the appearance and attendance of such person for the purpose of any such
 1514 examination and investigation, and (iii) call for any books and records necessary for such examination. If
 1515 any person willfully swears falsely in such examination, he is guilty of perjury.

1516 **§ 30.1-510. State agencies, courts, and local constitutional officers to report certain fraudulent transactions; penalty.**

1517 A. For purposes of this section, "state government entity" means any state department, court, officer,
 1518 board, commission, institution, or other agency of the Commonwealth, including local constitutional officers
 1519 and appointed officials exercising the powers of elected constitutional officers.

1520 B. Upon the discovery of circumstances suggesting a reasonable possibility that a fraudulent transaction
 1521 has occurred involving funds or property under the control of any state government entity, as to which one or
 1522 more officers or employees of state or local government may be a party, the state agency head, court clerk, or
 1523 local official in charge of such entity shall promptly report such information to the Auditor of Public
 1524 Accounts, the State Inspector General, and the Superintendent of State Police (the Superintendent).

1525 C. The Auditor of Public Accounts, the State Inspector General, or the Superintendent shall review the
 1526 information reported pursuant to subsection B and individually determine the most appropriate method to
 1527 investigate the information. In the event that the Auditor of Public Accounts, the State Inspector General, or
 1528 the Superintendent determines to conduct an investigation, he shall notify the others of the commencement of
 1529 the investigation as soon as practicable, unless the information involves the Auditor of Public Accounts, the
 1530 State Inspector General, or the Superintendent.

1531 D. No state government entity shall employ or contract with any person, firm, corporation, or other legal
 1532 entity to conduct an investigation or audit of information reported pursuant to subsection B without obtaining
 1533 prior written approval from the Auditor of Public Accounts and the Superintendent. Pending
 1534 acknowledgement of the report and receipt of such written approval, the state government entity may use its
 1535 employees to audit the circumstances reported in subsection B to prevent the loss of assets.

1536 E. All state government entities shall cooperate to the fullest extent in any investigation or audit that may
 1537 occur at the direction of the Auditor of Public Accounts or the Superintendent or both as a result of
 1538 information reported pursuant to subsection B.

1539 F. If any person willfully fails to make a report as required by this section, he is guilty of a Class 3
 1540 misdemeanor.

1541 G. Nothing herein shall affect the requirements of § 52-8.2.

1542 **§ 30.1-511. Certain political subdivisions to file report of audit.**

1543 A. For purposes of this section, "financial transactions" does not include financial transactions involving
 1544 notes, bonds, or other evidences of indebtedness of an entity, the proceeds of which are held or advanced by
 1545 a corporate trustee or other financial institution and not received or disbursed directly by such entity.

1547 *B. Each authority, commission, district, or other political subdivision the members of whose governing*
1548 *body are not elected by popular vote shall annually, within five months after the end of its fiscal year, have*
1549 *an audit performed covering its financial transactions for such fiscal year according to the specifications of*
1550 *the Auditor of Public Accounts and file with the Auditor of Public Accounts a copy of the report, unless*
1551 *exempted in accordance with subsection D.*

1552 *C. Each authority, commission, district, or other political subdivision the members of whose governing*
1553 *body are not elected by popular vote and that is reported in the Commonwealth's Annual Comprehensive*
1554 *Financial Report as determined by the Comptroller and the Auditor of Public Accounts shall annually, within*
1555 *three months after the end of its fiscal year, have an audit performed covering its financial transactions for*
1556 *such fiscal year according to the specifications of the Auditor of Public Accounts and file with the Auditor of*
1557 *Public Accounts a copy of the report, unless exempted in accordance with subsection D.*

1558 *The Auditor of Public Accounts shall keep such records as public for a period of 10 years from their*
1559 *receipt.*

1560 *D. No audit shall be required for an entity as described in subsections B and C during any fiscal year*
1561 *during which such entity's financial transactions did not exceed the sum of \$25,000.*

1562 *In the event that an audit is not required, the entity shall file a statement under oath certifying that the*
1563 *transactions did not exceed such sum and, as to all transactions involving notes, bonds, or other evidences of*
1564 *indebtedness that are exempted, the statement shall be accompanied by an affidavit from the trustee or*
1565 *financial institution certifying that it has performed the duties required under the agreement governing such*
1566 *transactions. The Auditor of Public Accounts may require an audit if he deems it to be necessary to determine*
1567 *the propriety of the entity's financial transactions.*

1568 *E. In the case of a water and sewer authority required by a governing body to have an audit conducted as*
1569 *specified in § 15.2-5145, the authority shall file the certified audit with the Auditor of Public Accounts.*

1570 *F. At the time the report required by this section is filed with the Auditor of Public Accounts, every such*
1571 *authority, commission, district, or other political subdivision, except those exempted from the audit report*
1572 *requirement, shall publish in a newspaper of general circulation in the county, city, or town where such*
1573 *entity is located a reference to where a detailed statement reflecting the financial condition of such entity may*
1574 *be found.*

1575 *G. Any provision of law, general or special, that by its terms requires an audit that is not required by this*
1576 *section shall be repealed to the extent of any conflict.*

1577 **§ 30.1-512. Annual report required.**

1578 *The Auditor of Public Accounts shall make an annual report of the activities of his Office to the Governor*
1579 *and the General Assembly.*

1580 **§ 30.1-513. Performance of duties by Joint Legislative Audit and Review Commission upon failure of**
1581 **Auditor of Public Accounts to perform duties; procedure.**

1582 *A. Whenever the General Assembly is not in session, the Joint Legislative Audit and Review Commission*
1583 *may perform any of the duties of the Auditor of Public Accounts upon its determination that the Auditor of*
1584 *Public Accounts is unable or unwilling to perform any of his duties by reason of incapacity, malfeasance in*
1585 *office, neglect of duty, conflict of interest, or criminal activity relating to the performance of his duties. Such*
1586 *action shall, after notice to the Auditor of Public Accounts and an opportunity to be heard, require a three-*
1587 *fifths vote of all members of the Joint Legislative Audit and Review Commission.*

1588 *B. The Joint Legislative Audit and Review Commission's performance of such duties shall be effective*
1589 *until the House of Delegates, acting at the next regular or special session of the General Assembly,*
1590 *determines whether to institute impeachment proceedings against the Auditor of Public Accounts, as*
1591 *provided in Article IV, Section 17 of the Constitution of Virginia, or until the Joint Legislative Audit and*
1592 *Review Commission, by a majority vote of its membership, determines that the Auditor of Public Accounts*
1593 *can resume the performance of his duties. Upon institution of impeachment proceedings by the House of*
1594 *Delegates, the Joint Legislative Audit and Review Commission may continue to perform such duties until the*
1595 *conclusion of impeachment proceedings.*

1596 **CHAPTER 6.**

1597 **DIVISION OF CAPITOL POLICE.**

1598 **§ 30.1-600. Division of Capitol Police; powers, duties, and functions.**

1599 *A. The Division of Capitol Police (the Division) may exercise within the limits of Capitol Square; when*
1600 *assigned to any other property owned, leased, or controlled by the Commonwealth or any agency,*
1601 *department, institution, or commission thereof; and on property pursuant to the provisions of §§ 15.2-1724,*
1602 *15.2-1726, and 15.2-1728 all the powers, duties, and functions that are exercised by the law-enforcement*
1603 *officers of the locality in which such property is located.*

1604 *B. The jurisdiction of the Division shall further extend 300 feet beyond the boundary of any property its*
1605 *officers are required to protect and shall be concurrent with that of the law-enforcement officers of the*
1606 *locality in which such property is located.*

1607 *C. The Division shall also have concurrent jurisdiction with the law-enforcement officers of the City of*
1608 *Richmond. In addition, a Capitol Police officer who is a detector canine handler shall have concurrent*

1609 jurisdiction with the law-enforcement officers of any locality that has requested the assistance of the Division
 1610 in the detection of firearms, ammunition, explosives, propellants, or incendiaries.

1611 D. In any case involving the theft or misappropriation of personal property of any member or employee of
 1612 the General Assembly, the Division shall have concurrent jurisdiction with the law-enforcement officers of
 1613 any county contiguous to the City of Richmond. When assigned to accompany the Governor or Governor-
 1614 elect, members of the Governor's family, the Lieutenant Governor or Lieutenant Governor-elect, the Attorney
 1615 General or Attorney General-elect, members of the General Assembly, or members of the Supreme Court or
 1616 Court of Appeals of Virginia, or when directed to serve a summons issued by the Clerk of the Senate or the
 1617 Clerk of the House of Delegates, a joint committee or commission of the Senate and the House of Delegates,
 1618 or any committee of either house, a Capitol Police officer shall be vested with all the powers and authority of
 1619 a law-enforcement officer of any locality in which the Capitol Police officer is required to be. All members of
 1620 the Division shall be subject to the provisions of § 2.2-1202.1 and Chapter 5 (§ 9.1-500 et seq.) of Title 9.1.

1621 E. The assignment of jurisdiction to any property pursuant to this section shall be made in consultation
 1622 with the Clerk of the House of Delegates and the Clerk of the Senate and the Chairs of the House Committee
 1623 on Rules and the Senate Committee on Rules.

1624 F. The Division shall have the authority to enter into contracts or agreements necessary or incidental to
 1625 the performance of its duties.

1626 § 30.1-601. **Disposal of unclaimed firearms, other weapons, and unclaimed personal property in
 1627 possession of the Division.**

1628 A. As used in this section:

1629 "Unclaimed firearms and other weapons" means any firearm or other weapon belonging to another that
 1630 has been acquired by a law-enforcement officer pursuant to his duties and that (i) is not needed in any
 1631 criminal prosecution; (ii) has not been claimed by its rightful owner; and (iii) will be declined, as indicated
 1632 by the State Treasurer, if remitted under the Virginia Disposition of Unclaimed Property Act (§ 55.1-2500 et
 1633 seq.).

1634 "Unclaimed personal property" means any personal property belonging to another that has been acquired
 1635 by a law-enforcement officer pursuant to his duties and that (i) is not needed in any criminal prosecution; (ii)
 1636 has not been claimed by its rightful owner; and (iii) will be declined, as indicated by the State Treasurer, if
 1637 remitted under the Virginia Disposition of Unclaimed Property Act (§ 55.1-2500 et seq.).

1638 B. The Division may destroy, subject to the provisions of § 19.2-386.29, unclaimed firearms and other
 1639 weapons and may lawfully dispose of unclaimed personal property when any such item has been in the
 1640 possession of the Division for a period of more than 120 days.

1641 C. Destruction or disposal of items pursuant to subsection B shall be at the discretion of the chief of
 1642 police or his designee. The Division may destroy unclaimed firearms and other weapons by any means that
 1643 renders such firearms or weapons permanently inoperable. Prior to the destruction of unclaimed firearms
 1644 and other weapons or disposal of unclaimed personal property, the chief of police or his designee shall (i)
 1645 make reasonable attempts to notify by mail the rightful owner of any such item pursuant to subsection B and
 1646 (ii) obtain a written statement from the attorney for the Commonwealth of the jurisdiction from which the
 1647 unclaimed item came into the possession of the Division advising that the item is not needed in any criminal
 1648 prosecution.

1649 D. The Division may dispose of an unclaimed bicycle, electric personal assistive mobility device, electric
 1650 power-assisted bicycle, or moped in accordance with the provisions of § 15.2-1720.

1651 E. In lieu of destroying an unclaimed firearm and upon agreement of the Department of Forensic Science,
 1652 the chief of police or his designee may donate the unclaimed firearm to the Department of Forensic Science.

CHAPTER 7.

DIVISION OF LEGISLATIVE AUTOMATED SYSTEMS.

1654 § 30.1-700. **Division of Legislative Automated Systems; supervisory control of Division; appointment of
 1655 Director.**

1656 A. There shall be a legislative agency known and designated as the Division of Legislative Automated
 1657 Systems (the Division). Supervisory control of the Division shall be vested in the Joint Rules Committee. The
 1658 Joint Rules Committee shall appoint a Director, subject to confirmation by the General Assembly, who shall
 1659 serve at the pleasure of the Joint Rules Committee.

1660 In addition to those duties required of the Director by law, he shall perform such other duties as may be
 1661 required of him by the Joint Rules Committee.

1662 B. The Director of the Division shall employ such personnel as may be required to carry out the purposes
 1663 of this chapter.

1664 § 30.1-701. **Powers and duties of the Division.**

1665 A. The Division shall have the following powers and duties:

1666 1. Operate an automated data processing center and perform computing and programming services for
 1667 the House of Delegates, the Senate of Virginia, and the Division of Legislative Services.

1668 2. Establish and maintain an electronic legislative information system that includes the status of bills and
 1669 resolutions active within the legislative process and related information. Electronic access to this information

1671 shall be made available to all agencies of the Commonwealth and its political subdivisions and conditionally
1672 available to the public as resources permit.

1673 3. Supervise the printing and distribution of bills, resolutions, joint resolutions, House documents, Senate
1674 documents, and other matters directed to be printed for use of the House of Delegates or the Senate of
1675 Virginia and intended for temporary use, as well as the printing and distribution of House Journals, Senate
1676 Journals, and the Acts of Assembly.

1677 4. Provide technical assistance to the General Assembly of Virginia and to the agencies that directly serve
1678 the General Assembly of Virginia.

1679 5. Prepare and publish annually, as soon as practicable after January 1, a listing of designated
1680 spokespersons or information officers for each department, agency, board, or commission of state
1681 government, as shall be designated by the head of each such entity. Such spokespersons or information
1682 officers shall (i) serve as a legislative liaison between any such department, agency, board, or commission
1683 and the General Assembly; (ii) act as the official spokesperson representing such department, agency, board,
1684 or commission; and (iii) be at all times available to assist members of the General Assembly in seeking
1685 solutions to problems of citizens of the Commonwealth.

1686 6. Prepare and publish annually, as soon as practicable after January 1, a report, indexed according to
1687 standing committee jurisdiction, on the status of all reports, actions, or data collection that is required by
1688 legislation enacted by the General Assembly or otherwise requested by the General Assembly of agencies and
1689 collegial bodies of state government. The report for the most recently completed calendar year shall be
1690 submitted to the General Assembly and the Governor and made available on the electronic legislative
1691 information system.

1692 7. Make and enter into all contracts and agreements necessary or incidental to the performance of its
1693 duties and the execution of its powers under this chapter, including contracts with the United States, any
1694 other state or territory, or any agency or governmental subdivision of the Commonwealth. The Division shall
1695 represent the interests of the General Assembly in activities involving obtaining and maintaining data
1696 processing services, electronic components, and other related items.

1697 8. Perform other duties as directed by the Joint Rules Committee.

1698 B. Every document or file maintained or stored on equipment of the Division shall be considered the
1699 property of the person for whom the document or file is maintained or stored. Neither the Director of the
1700 Division nor any employee of the Division shall reveal any of this property to any person outside of the
1701 Division, except with the consent of the owner of the property.

1702 **§ 30.1-702. Electronic legislative information system; access and fees.**

1703 A. The Division shall maintain on the electronic legislative information system the text of the Code of
1704 Virginia, the Virginia Administrative Code, and the Virginia Register of Regulations subject to such
1705 conditions and restrictions as may be established by the Virginia Code Commission in accordance with its
1706 responsibilities for publishing and maintaining the Codes and Register as set forth in § 30.1-810. Copyright
1707 interests of the Code publisher, which include case annotations, cross-reference notes, editor's notes,
1708 collateral reference notes, and effect of amendment notes, shall not be violated.

1709 B. For the services rendered in providing access to the electronic legislative information system, the
1710 Division may charge and collect a fee for each inquiry as determined by the Director of the Division to be a
1711 reasonable and sufficient proportion of the costs for maintaining the system and furnishing access. No fee,
1712 however, shall be charged to any agency of the legislative branch of the Commonwealth, including individual
1713 legislators using the information exclusively for legislative purposes.

1714 Users located outside the geographical limits of the Commonwealth shall be charged an access fee double
1715 that referred to in the preceding paragraph.

1716 C. No person shall receive access from the electronic legislative information system for resale without
1717 first applying to the Director of the Division. Such application shall be approved only on the condition that a
1718 fee equal to 25 percent of the resale charge is paid, which shall be in addition to the other fees provided for
1719 in this section.

1720 **§ 30.1-703. Printing and distribution of bills and resolutions, legislative documents, and other state
1721 publications; fees.**

1722 A. The Division shall be responsible for printing sufficient copies of every bill, resolution, House
1723 document, Senate document, calendar of each house, or other matter directed to be printed for use of the
1724 House of Delegates or the Senate of Virginia and may furnish copies of such to any person, firm, or
1725 corporation as may apply therefor. The number of such copies furnished to any person, firm, or corporation
1726 may be limited by the Division.

1727 B. Within 45 days following the adjournment sine die of any session of the General Assembly, the Division
1728 shall distribute to each member of the General Assembly who so requests a copy of each Act of Assembly in
1729 the form in which it was signed by the Governor or otherwise enacted into law. Each act so sent shall be
1730 clearly denominated with the House of Delegates or Senate bill number assigned to it by the respective house
1731 of the General Assembly.

1732 C. Within a reasonable time after the close of each session of the General Assembly, the Division shall

1733 cause to be printed and bound the Journals of the House of Delegates and the Senate of Virginia, with an
 1734 index for each such journal.

1735 D. The Division shall distribute annually to each member of the General Assembly a request form
 1736 containing a checklist for selection of the Acts of Assembly, the Journals of the House of Delegates and the
 1737 Senate of Virginia, and reports submitted to the General Assembly or any committee, subcommittee,
 1738 commission, agency, or other body within the legislative branch. It is the responsibility of the Division to
 1739 notify each member of the General Assembly of the availability of the publications and that each will be
 1740 forwarded to them by the appropriate entity upon written request. The Division shall forward requested
 1741 reports of legislative entities and shall notify each agency, institution, collegial body, or other governmental
 1742 entity outside of the legislative branch of the names of the members of the General Assembly requesting such
 1743 entity's report.

1744 E. The Division may charge and collect in advance a fee determined by the Director of the Division to be
 1745 reasonable and sufficient to cover the cost of printing, binding, and handling; in addition to each such fee,
 1746 the Division shall also charge and collect an amount necessary to cover the cost of mailing if such bill,
 1747 resolution, House document, Senate document, calendar of each house, or other matter directed to be printed
 1748 is to be sent by mail.

1749 **§ 30.1-704. Submission of reports and executive summaries to the legislative branch.**

1750 A. Any report required or requested by law or resolution to be submitted to the General Assembly or to
 1751 any committee, subcommittee, agency, or other body within the legislative branch, or the chair or agency
 1752 head of such entity, shall be submitted to the Division in a written or electronic format as provided in the
 1753 procedures for the processing of legislative documents and reports. Such submission shall satisfy the
 1754 requirement for communication to the General Assembly.

1755 B. The reports submitted to the Division shall include an executive summary. The Division shall post the
 1756 executive summary and the report on the electronic legislative information system and develop a notification
 1757 process to inform interested persons of such postings. Any requirement for a separate executive summary
 1758 may be satisfied by the submission of a report in a written or electronic format with an executive summary.

1759 C. The Director of the Division and the publishing authority may enter into agreements to provide
 1760 equivalent access to the report or the information contained in the report, and such access shall satisfy the
 1761 submission requirement of this section.

1762 D. Nothing in this section shall be construed to require the release of information otherwise held
 1763 confidential by law.

1764 **CHAPTER 8.**

1765 **DIVISION OF LEGISLATIVE SERVICES AND ASSOCIATED COMMISSIONS.**

1766 **Article 1.**

1767 *Division of Legislative Services.*

1768 **§ 30.1-800. Division of Legislative Services; supervisory control of Division; appointment, term, and
 1769 qualifications of Director.**

1770 A. There shall be a legislative agency known and designated as the Division of Legislative Services (the
 1771 Division). Supervisory control of the Division shall be vested in the Joint Rules Committee.

1772 B. The Joint Rules Committee shall appoint a Director, subject to confirmation of the General Assembly,
 1773 who shall serve at the pleasure of the Joint Rules Committee. In addition to those duties required of him by
 1774 law, he shall perform such other duties as may be required of him by the Joint Rules Committee. The Director
 1775 shall be an experienced lawyer and a member of the Virginia State Bar. He shall employ and fix the duties
 1776 and compensation of legislative counsel and such other persons as he deems necessary to carry out the duties
 1777 and responsibilities required by this chapter. All such persons shall be selected solely on the grounds of
 1778 fitness for the performance of the duties assigned to them. Such compensation shall be paid out of
 1779 appropriations made for the purpose.

1780 **§ 30.1-801. Duties of Division.**

1781 The Division shall have the following powers and duties:

1782 1. Maintain a reference library with a collection to support the work of the Division and the General
 1783 Assembly and to provide general and specific reference services to members of the General Assembly;

1784 2. Maintain physical or electronic copies of all bills, resolutions, amendments, reports of committees, and
 1785 other documents printed by order of either house of the General Assembly for any years preceding the
 1786 publication of such documents on the electronic legislative information system;

1787 3. Carry out legal and legislative research and analysis for members of the General Assembly and its
 1788 committees;

1789 4. Draft bills and resolutions for introduction by a member of the General Assembly, and prepare
 1790 amendments to such bills and resolutions, upon the request of any member of the General Assembly, the
 1791 Governor, any Governor's Secretary, or the head of any legislative, judicial, or independent agency; and

1792 5. Advise as to the constitutionality or probable legal effect of proposed legislation; prepare summaries of
 1793 existing laws affected by proposed legislation, compilations of laws in other states relating to the subject
 1794 matter of such legislation, and statements of the operation and effect of such laws; and conduct research as

1795 to any subject of proposed legislation.

1796 **§ 30.1-802. Requests for drafting bills or resolutions; bills to conform to request; confidentiality.**

1797 A. All requests for the drafting of bills or resolutions by the Division shall be submitted to the Division in person, by voice transmission, or by electronic means. Each request shall contain sufficient information respecting the policies and purposes that the requester desires incorporated into and accomplished by the bill. Bills drafted by the Division shall conform to such request or any supplementary instructions submitted by the requester.

1802 B. The contents or nature of any request or related supplementary instructions shall not be revealed to any person outside of the Division without the consent of the requester, except such requests or 1803 supplementary instructions may be revealed to the Division of Legislative Automated Systems in fulfilling its 1804 duties as provided in § 30.1-701. However, and unless specifically directed otherwise, the Director or a 1805 Division employee may reveal the nature of a request when seeking information from any person to assist in 1806 drafting the bill, and whenever the Director or a Division employee receives a request that is substantially 1807 the same as one previously received, he may so inform the person submitting the similar request.

1809 C. All legislative drafting requests and accompanying documents shall be maintained by the Division as 1810 permanent records. Each of these separate files shall be considered the property of the requester and no one 1811 other than employees of the Division shall have access to any such file without the specific approval of the 1812 requester.

1813 **§ 30.1-803. Privileges of employees of the Division.**

1814 The employees of the Division shall be entitled to those rights and privileges granted to members and 1815 members-elect of the General Assembly pursuant to §§ 30.1-101, 30.1-104, and 30.1-105.

1816 **§ 30.1-804. Use of state libraries; withdrawal of books; charges.**

1817 A. The Director and all employees of the Division shall have access to the State Law Library and The 1818 Library of Virginia, with the right to withdraw any books, pamphlets, or printed data from either library, to 1819 support the performance of their duties, subject to the rules of the libraries as to time.

1820 B. Upon the request of the Division, the library of any public institution of higher education in the 1821 Commonwealth shall furnish to the Division photocopies of materials on file without any charge except the 1822 actual cost of photocopying. Such libraries shall not charge the Division for any library exchange services.

1823 Article 2.

1824 Virginia Code Commission.

1825 **§ 30.1-805. Virginia Code Commission; purpose.**

1826 The Virginia Code Commission (the Commission) is established in the legislative branch of state 1827 government. The purpose of the Commission is to arrange for and oversee the publication of the Code of 1828 Virginia, the Virginia Administrative Code, and the Virginia Register of Regulations as provided for in 1829 § 2.2-4031.

1830 **§ 30.1-806. Membership; terms.**

1831 A. The Commission shall have a total membership of 13 members that shall include four legislative 1832 members, six nonlegislative citizen members, and three ex officio members. Members shall be appointed as 1833 follows:

1834 1. Two members of the House of Delegates to be appointed by the Speaker of the House of Delegates in 1835 accordance with the principles of proportional representation contained in the Rules of the House of 1836 Delegates for terms coincident with their terms as members of the House of Delegates;

1837 2. Two members of the Senate to be appointed by the Senate Committee on Rules for terms coincident with 1838 their terms as members of the Senate;

1839 3. Two circuit court judges, both of whom may be retired or inactive, one to be appointed by the Speaker 1840 of the House of Delegates and one to be appointed by the Senate Committee on Rules for terms of four years 1841 each;

1842 4. One former member of the House of Delegates to be appointed by the Speaker of the House of 1843 Delegates and one former member of the Senate to be appointed by the Senate Committee on Rules for terms 1844 of four years each who shall be entitled to all the rights granted under § 30.1-105; and

1845 5. One nonlegislative citizen member to be appointed by the Speaker of the House of Delegates and one 1846 nonlegislative citizen member to be appointed by the Senate Committee on Rules for terms of four years each. 1847 Such appointees may be recommended by the Commission and shall have demonstrated legal knowledge and 1848 experience in the codification of session laws and recodification of statutes. Vacancies shall be filled in the 1849 same manner as the original appointments. Each member approved pursuant to this subdivision shall be 1850 entitled to all the rights granted under § 30.1-105.

1851 The Governor, the Attorney General, and the Director of the Division of Legislative Services or their 1852 designees shall serve ex officio with nonvoting privileges.

1853 B. All members of the Commission shall serve until the expiration of their terms or until their successors 1854 qualify. Vacancies shall be filled for the unexpired terms in the manner of the original appointments.

1855 **§ 30.1-807. Compensation; expenses.**

1856 Current legislative members of the Commission shall receive compensation as provided in § 30.1-109.

1857 *Other members of the Commission shall receive compensation as provided in § 2.2-2813 for their services.*
 1858 *All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of*
 1859 *their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of*
 1860 *the members shall be provided from existing appropriations to the Commission.*

1861 **§ 30.1-808. Quorum; chair and vice-chair; meetings.**

1862 *A majority of the members of the Commission shall constitute a quorum. The Commission shall elect a*
 1863 *chair and vice-chair from among its membership who shall be members of the General Assembly. Meetings of*
 1864 *the Commission shall be held at the call of the chair or whenever the majority of the members so request.*

1865 **§ 30.1-809. Staffing.**

1866 *The Division of Legislative Services shall provide administrative staff support to the Commission. The*
 1867 *Commission may also directly employ part-time or full-time personnel as necessary, including experts who*
 1868 *have special knowledge of specific titles of the Code being revised.*

1869 **§ 30.1-810. Publication of Code of Virginia, Virginia Administrative Code, and Virginia Register of**
 1870 **Regulations; authority regarding type and form.**

1871 *The Commission may arrange for the Code of Virginia, the Virginia Administrative Code, and the*
 1872 *Virginia Register of Regulations to be (i) printed and published by or at the expense of the Commonwealth*
 1873 *and sold and otherwise distributed by the Commonwealth or (ii) privately printed and published, under the*
 1874 *direction and supervision of the Commission and upon such terms as the Commission may provide, and sold*
 1875 *and distributed by the publisher upon such terms, including terms as to price, as the Commission may*
 1876 *provide.*

1877 *The Commission shall have full discretion to arrange for the publication of annotated or unannotated*
 1878 *copies of the Code of Virginia, the Virginia Administrative Code, and the Virginia Register of Regulations; to*
 1879 *fix the number of volumes; and to decide all questions of form, makeup, and arrangement, including title*
 1880 *pages, prefaces, annotations, indices, tables of contents and reference, appendices, paper, type, binding, and*
 1881 *lettering. The Commission may arrange for the Code of Virginia and the Virginia Administrative Code to be*
 1882 *made permanent editions and kept current by means of supplements and replacement volumes.*

1883 **§ 30.1-811. Contracting with publishers; property rights regarding Code of Virginia and Virginia**
 1884 **Administrative Code material.**

1885 *A. The Commission may enter into contracts for such editorial work, printing, indexing, annotating, and*
 1886 *other work as may be necessary. All parts of any code published or authorized to be published by the*
 1887 *Commission, including statute text, regulation text, catchlines, historical citations, numbers of sections,*
 1888 *articles, chapters and titles, frontal analyses, and revisor's notes, shall become and remain the exclusive*
 1889 *property of the Commonwealth to be used only as the Commission may direct. However, the Commission*
 1890 *shall acknowledge a property right in and the right to copyright materials prepared and added to any code*
 1891 *by the person preparing it. Such materials may include case annotations, indices, various notes concerning*
 1892 *sections, and reference tables.*

1893 *B. Trade secrets or proprietary information submitted by any person contracting or proposing to contract*
 1894 *with the Commission in connection with the publication of (i) the Code of Virginia, (ii) the Virginia*
 1895 *Administrative Code, or (iii) any other materials published by the Commission shall not be subject to public*
 1896 *disclosure under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.). However, the person shall*
 1897 *invoke the protections of this subsection prior to or upon submission of the data or other materials to be*
 1898 *protected and state the reasons why protection is necessary. The Commission may, in closed session, discuss,*
 1899 *consider, review, or deliberate upon proposals that contain trade secrets or proprietary information*
 1900 *submitted by any person contracting or proposing to contract with the Commission in connection with the*
 1901 *publication of the Code of Virginia or the Virginia Administrative Code.*

1902 **§ 30.1-812. Codification of session laws.**

1903 *Immediately following each regular session of the General Assembly, the Commission shall arrange for*
 1904 *the codification and incorporation into the Code of Virginia of all general and permanent statutes enacted at*
 1905 *such regular session and at all special sessions that have occurred between that regular session and the*
 1906 *immediately preceding regular session. The statutes may be incorporated by supplements to each volume,*
 1907 *replacement of any volume, or a combination thereof.*

1908 *Unless prevented by unusual circumstances, this work and the distribution of each supplement and*
 1909 *replacement volume shall be completed prior to the date when the statutes contained in each such supplement*
 1910 *and replacement volume become effective.*

1911 **§ 30.1-813. Authority for minor changes to the Code of Virginia and Virginia Administrative Code.**

1912 *A. The Commission may correct unmistakable printer's errors, misspellings, and other unmistakable*
 1913 *errors in (i) the statutes as incorporated into the Code of Virginia and (ii) the regulations as incorporated*
 1914 *into the Virginia Administrative Code and may make consequential changes in the titles of officers and*
 1915 *agencies or when otherwise made necessary by the use of titles, terminology and references, or other*
 1916 *language no longer appropriate.*

1917 *B. The Commission may renumber, rename, and rearrange (i) any Code of Virginia titles, chapters,*
 1918 *articles, and sections in the statutes adopted, and make corresponding changes in lists of chapter, article,*

1919 and section headings, catchlines, and tables, and (ii) any Virginia Administrative Code titles, sections, or
1920 other divisions within the regulations that have been proposed or adopted or have become effective, and
1921 make corresponding changes in lists of subject and section headings, catchlines, and tables, when, in the
1922 judgment of the Commission, it is necessary because of any disturbance or interruption of orderly or
1923 consecutive arrangement.

1924 C. The Commission may correct unmistakable errors in cross-references to Code of Virginia or Virginia
1925 Administrative Code sections and may change cross-references to such sections that have become outdated
1926 or incorrect due to subsequent amendment to, revision of, or repeal of the sections to which reference is
1927 made.

1928 D. The Commission may omit from the statutes incorporated into the Code of Virginia and from the
1929 regulations incorporated into the Virginia Administrative Code those provisions that, in the judgment of the
1930 Commission, are inappropriate in a code, including effective date clauses, clauses providing for specific
1931 nonrecurring appropriations, and general repealing clauses.

1932 **§ 30.1-814. Ongoing responsibility for repeal of obsolete statutes and Acts of Assembly.**

1933 The Commission shall periodically review the Code of Virginia and uncodified provisions in the Acts of
1934 Assembly to identify obsolete chapters, articles, sections, or enactments and recommend to the General
1935 Assembly legislation amending or repealing such statutes or acts as the Commission deems appropriate.

1936 **§ 30.1-815. Revision of the Code of Virginia; construction of statutes relating to titles amended.**

1937 A. The Code of Virginia shall continue to be gradually revised by revising one title at a time. The
1938 Commission shall have the responsibility for drafting title revision and recodification bills for introduction
1939 into the General Assembly.

1940 B. During the recodification or title revision process, the Commission shall evaluate the need for and
1941 recommend the repeal of any section or provision relating to the revised title that has not been implemented
1942 during any of the previous five years because sufficient funds were not appropriated by the General
1943 Assembly. The House Committee on Appropriations and the Senate Committee on Finance and
1944 Appropriations shall assist the Commission in determining which sections and provisions of the Code of
1945 Virginia meet these conditions for repeal.

1946 C. In the revision of each title, all other sections of the Code of Virginia relating to the same subject
1947 matter shall be revised to the extent necessary. Whenever in a title revision or recodification bill an existing
1948 section of a title of the Code of Virginia is repealed and replaced with a renumbered section and that section
1949 so repealed was effective with an uncodified enactment, the repeal of that section, alone, shall not affect the
1950 uncodified enactment. The title revision or recodification bill shall expressly repeal the uncodified enactment
1951 in order for the enactment to be repealed.

1952 D. Whenever, during any session of the General Assembly, there shall have been enacted any statute
1953 purporting to revise, rearrange, amend, and recodify any title of the Code of Virginia, such statute shall be
1954 deemed to have been enacted prior to any other statute enacted at such session adding to, repealing, or
1955 amending and reenacting any portion of such title. Every such other statute shall be deemed to have so added
1956 to, repealed, or amended and reenacted, as the case may be, such title as so revised, rearranged, amended,
1957 and recodified. Effect shall be given to any such other, or subsequent, statute only to the extent of any
1958 apparent changes in the law as it existed prior to such session.

1959 **§ 30.1-816. Publication of Virginia State Bar advisory opinions.**

1960 The Commission, in conjunction with the Virginia State Bar, shall arrange for the incorporation of all
1961 advisory opinions issued by the Virginia State Bar's Standing Committee on Legal Ethics into the Code of
1962 Virginia. Such opinions, including appropriate indices, may be incorporated into the Code of Virginia by the
1963 addition of a volume to the Code and kept current by means of pocket parts or supplements and by
1964 replacement volumes.

1965 **§ 30.1-817. Publication of Virginia compacts.**

1966 The Commission shall annually arrange for the codification and incorporation into the Code of Virginia
1967 of all general, special, and limited compacts to which the Commonwealth is a party. Within the discretion of
1968 the Commission, such incorporation may be through insertion within the existing text and organization of the
1969 Code of Virginia or as a freestanding volume.

1970 The Commission shall, on or before July 1 of each year, transmit to the Secretary of the Commonwealth a
1971 copy of each new, amended, or repealed compact as it was adopted by the Commonwealth in accordance
1972 with § 2.2-403.

1973 **§ 30.1-818. Responsibilities as to administrative law; appointment of Administrative Law Advisory
1974 Committee; staff.**

1975 A. In conjunction with the responsibility granted to the Commission for publishing and maintaining the
1976 Virginia Administrative Code pursuant to § 30.1-810, the Commission shall continually monitor the
1977 operation of the Administrative Process Act (§ 2.2-4000 et seq.) and the Virginia Register Act (§ 2.2-4100 et
1978 seq.) to ensure that those laws provide administrative agencies of the Commonwealth with the most practical
1979 means for the promulgation, amendment, and repeal of administrative law within the powers granted to such
1980 agencies by the General Assembly, and to recommend periodically such changes as it deems appropriate.

1981 *B. The Commission may appoint an Administrative Law Advisory Committee (the Advisory Committee) to assist the Commission in fulfilling its responsibilities under subsection A. The chair of the Advisory Committee may be a member of and shall be appointed by the Commission.*

1984 *1. The Advisory Committee is a legislative branch agency and may consist of representatives from state agencies, the Office of the Executive Secretary of the Supreme Court, the regulated communities, consumer and other public interest groups, local governments, the bar, and the academic community. The number of members shall be determined by the Commission but shall not exceed 12. Members shall serve two-year terms and shall be reimbursed for their expenses incurred in attending meetings and other functions of the Advisory Committee.*

1990 *2. The Advisory Committee shall submit an annual work plan and budget to the Commission for approval. Funds necessary to support any such budget approved by the Commission shall be paid from sums appropriated to the Commission. The Commission may authorize the Advisory Committee to undertake research projects, hire consultants, sponsor conferences, hold public hearings, conduct surveys, and engage in other efforts consistent with assisting the Commission in fulfilling its responsibilities under subsection A. The Advisory Committee shall report its findings and recommendations annually to the Commission, and that report shall be forwarded to the General Assembly and the Governor.*

1997 *3. The Division of Legislative Services shall provide administrative staff support to the Advisory Committee.*

Article 3.

Joint Commission on Administrative Rules.

§ 30.1-819. Definitions.

2002 *As used in this article, unless the context requires a different meaning:*

2003 *"Agency" means any authority, commission, instrumentality, officer, board, or other unit of the state government empowered by the basic laws to make regulations or decide cases.*

2005 *"Commission" means the Joint Commission on Administrative Rules.*

2006 *"Rule" or "regulation" means any statement of general application that has the force of law, affects the rights or conduct of any person, and is adopted by an agency in accordance with the authority conferred on it by applicable laws of the Commonwealth.*

§ 30.1-820. Joint Commission on Administrative Rules; purpose.

2010 *The Joint Commission on Administrative Rules is established in the legislative branch of state government. The purpose of the Commission is to (i) review existing agency rules, regulations, and practices; (ii) review agency rules or regulations during the promulgation or final adoption process; and (iii) make recommendations to the General Assembly and the Governor.*

§ 30.1-821. Membership; terms.

2015 *A. The Commission shall have a total membership of 12 legislative members. Members shall be appointed as follows:*

2017 *1. Seven members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; and*

2020 *2. Five members of the Senate to be appointed by the Senate Committee on Rules.*

2021 *B. Members shall serve for terms coincident with their terms of office. Members may be reappointed. Vacancies occurring other than by expiration of a term shall be filled for the unexpired term. Vacancies shall be filled in the same manner as the original appointments.*

§ 30.1-822. Quorum; chair and vice-chair.

2025 *Six members of the Commission shall constitute a quorum. The Commission shall elect a chair and vice-chair from among its members.*

§ 30.1-823. Compensation; expenses.

2028 *Members of the Commission shall receive compensation as provided in § 30.1-109 and shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. However, all such expense payments shall come from existing appropriations to the Commission.*

§ 30.1-824. Powers and duties of the Commission.

2033 *A. The Commission shall have the following powers and duties:*

2034 *1. Review proposed rules and regulations of any agency during the promulgation or final adoption process and determine whether or not the rule or regulation (i) is authorized by statute; (ii) complies with legislative intent; (iii) will cause a substantial reduction in private sector employment; and (iv) contains any mandate that improperly burdens businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected as defined in § 2.2-4007.04;*

2039 *2. Review the effect of the rule or regulation on (i) the economy; (ii) the protection of the Commonwealth's natural resources pursuant to Article XI, Section 1 of the Constitution of Virginia; (iii) government operations of the Commonwealth and localities; and (iv) affected persons and businesses;*

2042 *3. File with the Registrar of Regulations and the agency promulgating the regulation an objection to a*

2043 proposed or final adopted regulation;

2044 4. Suspend the effective date of any portion or all of a final regulation with the concurrence of the
2045 Governor as provided in subsection B of § 2.2-4014;

2046 5. Make recommendations to the General Assembly and the Governor for action based on its review of
2047 any proposed rule or regulation;

2048 6. Review any existing agency rule, regulation, or practice or the failure of an agency to adopt a rule and
2049 recommend to the General Assembly and the Governor that a rule be modified, repealed, or adopted; and

2050 7. Conduct an ongoing review of the exemptions authorized by the Administrative Process Act (§ 2.2-4000
2051 et seq.) in accordance with subsections B and D of § 2.2-4005 on a schedule established by the Commission.

2052 B. If the Commission finds that a rule or regulation improperly burdens businesses or would impose a
2053 significant adverse economic impact on a locality, business, or entity particularly affected, it shall report
2054 quarterly to the General Assembly and the Governor on any such regulation. The report shall contain a
2055 statement of any position taken by the Commission on any such regulation.

2056 C. If the Commission decides to seek suspension of a final rule or regulation, it shall deliver a statement
2057 to the Governor, signed by a majority of the members of the Commission, asking the Governor to concur in
2058 delaying the effective date of a portion or all of the final regulation until the end of the next regular
2059 legislative session as provided in §§ 2.2-4014 and 2.2-4015.

2060 D. Based upon its review of (i) any final rule or regulation during the promulgation or final adoption
2061 process or (ii) any existing agency rule, regulation, or practice or failure of an agency to adopt a rule or
2062 regulation, the Commission may prepare and arrange for the introduction of a bill to clarify the intent of the
2063 General Assembly when the General Assembly has enacted a law or to correct any misapplication of a law by
2064 an agency.

2065 **§ 30.1-825. Staffing; cooperation and assistance.**

2066 The Division of Legislative Services shall provide administrative staff support to the Commission. All
2067 agencies, authorities, and institutions of the Commonwealth shall cooperate and provide such assistance to
2068 the Commission as the Commission may request.

2069 **Article 4.**

2070 **Commissioners for the Promotion of Uniformity of Legislation.**

2071 **§ 30.1-826. Commissioners for the Promotion of Uniformity of Legislation; terms; expenses.**

2072 A. There shall be appointed by the Governor three Commissioners who, with the Director of the Division
2073 of Legislative Services and any persons appointed as life members, are hereby constituted a board of
2074 Commissioners for the Promotion of Uniformity of Legislation in the United States. The three Commissioners
2075 appointed by the Governor shall serve for a term of four years, with each such term commencing on October
2076 1. A Commissioner appointed by the Governor shall serve until his successor is appointed.

2077 B. Each of the appointed Commissioners shall hold office at the pleasure of the Governor, and except for
2078 life members and the Director of the Division of Legislative Services, shall serve for a term of four years.
2079 Vacancies shall be filled by the Governor for unexpired terms.

2080 C. The Commissioners shall receive no compensation for their services, but their necessary travel and
2081 hotel expenses shall be reimbursed, subject to the approval of the Joint Rules Committee or to the joint
2082 approval of the Speaker of the House of Delegates and the Chair of the Senate Committee on Rules, and shall
2083 be paid out of any funds that may be appropriated for such purposes.

2084 **§ 30.1-827. Duties; staff.**

2085 A. It is the duty of the Commissioners to examine subjects on which uniformity is desirable, to ascertain
2086 the best means to effect uniformity in the laws of the states, to represent the Commonwealth in conventions of
2087 like Commissioners appointed by other states to consider and draft uniform laws to be submitted for adoption
2088 by the several states, and to devise and recommend such other course of action as shall best accomplish the
2089 purpose of this article.

2090 B. The Commissioners shall, on or before December 1 of each year, make a detailed report to the General
2091 Assembly on their work and activities. The Division of Legislative Services shall provide administrative staff
2092 support.

2093 **CHAPTER 9.**

2094 **JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION.**

2095 **Article 1.**

2096 **Joint Legislative Audit and Review Commission.**

2097 **§ 30.1-900. Joint Legislative Audit and Review Commission; purpose.**

2098 The Joint Legislative Audit and Review Commission (the Commission) is established in the legislative
2099 branch of state government. The purpose of the Commission is to (i) review the operations of state agencies
2100 and programs and (ii) study and report on such topics as requested by the General Assembly.

2101 **§ 30.1-901. Membership; terms; voting on recommendations.**

2102 A. The Commission shall have a total membership of 15 members that shall include 14 legislative
2103 members and one ex officio member. Members shall be appointed as follows:

2104 1. Nine members of the House of Delegates to be appointed by the Speaker of the House of Delegates, of

2105 whom at least five shall be members of the House Committee on Appropriations; and
 2106 2. Five members of the Senate to be appointed by the Senate Committee on Rules, of whom at least two
 2107 shall be members of the Senate Committee on Finance and Appropriations.
 2108 The Auditor of Public Accounts shall serve *ex officio* with nonvoting privileges.
 2109 B. Members shall serve terms coincident with their terms of office. Members may be reappointed for
 2110 successive terms.
 2111 C. No recommendation of the Commission shall be adopted if a majority of the Senate members or a
 2112 majority of the House members appointed to the Commission (i) vote against the recommendation and (ii)
 2113 vote for the recommendation to fail notwithstanding the majority vote of the Commission.

2114 **§ 30.1-902. Compensation; expenses.**
 2115 Members of the Commission shall receive such compensation as provided in § 30.1-109 and shall be
 2116 reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided
 2117 in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be
 2118 provided from existing appropriations to the Commission. Adequate office space shall be provided by the
 2119 Commonwealth.

2120 **§ 30.1-903. Chair and vice-chair; quorum; meetings.**
 2121 The Commission shall elect a chair and vice-chair from among its membership. A majority of the
 2122 members shall constitute a quorum. Meetings of the Commission shall be held upon the call of the chair or
 2123 whenever the majority of the members so request.

2124 **§ 30.1-904. Director, executive staff, and personnel.**
 2125 The Commission shall appoint, subject to confirmation by a majority of the members of the General
 2126 Assembly, a Director and fix his duties and compensation. The Director may, with prior approval of the
 2127 Commission, employ and fix the duties and compensation of an adequate executive staff as may be required
 2128 to perform the studies, research, and budget analyses required by this article. The Director and the executive
 2129 staff shall be appointed for a term of six years and shall consist of professional persons having experience
 2130 and training in program and policy evaluation and management and cost analyses. The Director and any
 2131 executive staff member may be removed from office for cause by a majority vote of the Commission. Such
 2132 other professional personnel, consultants, and administrative employees may be hired or contracted by the
 2133 Commission on such terms and conditions as set forth by the Commission.

2134 **§ 30.1-905. Powers and duties of the Commission.**
 2135 A. For the purposes of this section, "state agency" means all executive, judicial, and legislative entities of
 2136 the Commonwealth as well as all constitutionally or statutorily created state entities.
 2137 B. The Commission shall have the following powers and duties:
 2138 1. Make performance reviews of operations of state agencies and programs to ascertain that sums
 2139 appropriated have been or are being expended for the purposes for which such appropriations were made
 2140 and to evaluate the effectiveness of programs in accomplishing legislative intent;
 2141 2. Conduct reviews and analyses of public policy topics as requested by the General Assembly;
 2142 3. Make such special studies and reports of the operations and functions of state agencies and programs
 2143 as it deems appropriate and as may be requested by the General Assembly;
 2144 4. Make such reports on its findings and recommendations at such time and in such manner as the
 2145 Commission deems proper and submit such reports to the concerned state agencies, the General Assembly,
 2146 and the Governor. Such reports shall relate to the following matters:
 2147 a. Ways in which state agencies and programs may operate more economically and efficiently;
 2148 b. Ways in which state agencies and programs can provide better services to the Commonwealth and to
 2149 the people; and
 2150 c. Areas in which the functions of state agencies and programs are duplicative, overlapping, or failing to
 2151 accomplish legislative objectives or for any other reason should be redefined or redistributed; and
 2152 5. At the request of the chair of a House or Senate standing committee where a bill resides, review the
 2153 fiscal impact statement associated with a bill after such statement is issued.

2154 C. The work of the Commission's staff shall be directed by statute, joint resolution approved by the House
 2155 of Delegates and the Senate, or resolution or other directive approved by the Commission.

2156 **§ 30.1-906. Supplementary reports.**
 2157 The Commission shall prepare supplementary reports of the program reviews and evaluations called for
 2158 in § 30.1-905 in the following manner:
 2159 1. At least once in each biennium and at such other times as the Commission deems necessary, a report
 2160 shall be made to the General Assembly that includes (i) annotations of reports previously issued, (ii) a
 2161 summary of significant actions taken by executive agencies in response to reports and recommendations
 2162 previously issued, and (iii) matters pertaining to the report topics that may require additional legislative
 2163 attention and consideration.
 2164 2. State agencies involved in matters that have been studied under the provisions of § 30.1-905 may be
 2165 required to communicate to the Commission at a hearing called for such purpose or in writing the status of
 2166 actions completed or being taken in response to reports and recommendations previously issued.

2167 3. In the event a report of the Commission cites waste, extravagance, unauthorized activities, or other
2168 significant deficiencies that result in the misuse of public funds, a supplementary report shall be made at such
2169 time as the Commission deems appropriate, providing the General Assembly with (i) a review of the problem,
2170 (ii) recommendations made by the Commission or other legislative committee to correct the problem, (iii)
2171 actions taken or planned by the state agency to correct the problem, and (iv) such other matters as may
2172 require additional legislative attention to correct the problem.

2173 Supplementary reports published by the Commission shall be issued to the relevant state agencies,
2174 members of the General Assembly, and the Governor.

2175 **§ 30.1-907. Annual report on state spending.**

2176 A. No later than November 30 of each year, the Commission shall provide to the General Assembly and
2177 the Governor an annual report on state spending to be published as a state document that shall include (i) an
2178 identification and analysis of spending functions and programs that could be consolidated with other
2179 programs without diminishing the quality of the services provided to the citizens of the Commonwealth; (ii)
2180 an identification and analysis of those spending functions or programs that no longer have a distinct and
2181 discernible mission or are not performing their missions efficiently; (iii) an identification and analysis of the
2182 state programs that have had the largest impact on the growth of state spending over the prior five biennia in
2183 dollar terms; (iv) an identification and analysis of the state programs growing the fastest in percentage
2184 terms; (v) for the state programs identified as the largest or fastest growing, comparisons of the growth in
2185 spending on those programs to the rate of increase in inflation and the growth in populations served by those
2186 programs over a comparable time period; (vi) an analysis of the causes for the growth in spending on the
2187 largest and fastest-growing state programs and whether the growth in spending appears rationally related to
2188 the rates of increase in inflation, tax relief measures, mandated expenditures, populations served, or any
2189 other related matter; and (vii) such other related issues as it deems appropriate.

2190 B. All agencies of the Commonwealth shall provide assistance to the Commission in the preparation of
2191 this report upon request.

2192 **§ 30.1-908. State agencies to furnish information and assistance.**

2193 A. For the purposes of this section, "state agency" means all executive, judicial, and legislative entities of
2194 the Commonwealth as well as all constitutionally or statutorily created state entities.

2195 B. All state agencies and their staff and employees shall provide the Commission with the necessary
2196 information for the performance of its duties and to afford the Commission's staff ample opportunity to
2197 observe state agency operations.

2198 C. The clerk of each circuit court shall provide the Commission with all case data in an electronic format
2199 from such court's own case management system or the statewide Circuit Case Management System upon
2200 request of the Commission. If the statewide Circuit Case Management System is used by the clerk when
2201 requested by the Commission, the Executive Secretary of the Supreme Court shall provide for the transfer of
2202 such data to the Commission. The Commission may use such data for research, evaluation, or statistical
2203 purposes only and shall ensure the confidentiality and security of the data. The Commission shall only
2204 publish analyses based on such data as needed for its reports, fiscal impact reviews, or racial and ethnic
2205 impact statements as required by the General Assembly. The Commission shall not publish personal or case
2206 identifying information, including names, social security numbers, and dates of birth, that may be included in
2207 such data. Upon transfer to the Commission, such data shall not be subject to the Virginia Freedom of
2208 Information Act (§ 2.2-3700 et seq.). Except for the publishing of personal or case identifying information,
2209 including names, social security numbers, and dates of birth, the restrictions in this section shall not prohibit
2210 the Commission from sharing aggregate data in reports, fiscal impact reviews, or racial and ethnic impact
2211 statements.

2212 **§ 30.1-909. Auditor of Public Accounts to render assistance upon request; relationship to Commission.**

2213 The Commission may request and receive the assistance of the staff of the Auditor of Public Accounts in
2214 making desired special studies and fiscal reviews within the manpower limitations of his office. The
2215 Commission may serve as an advisory and contact agency for the Auditor of Public Accounts to make such
2216 special reports as he may be required by law to submit to the General Assembly.

2217 **§ 30.1-910. Advisory committees.**

2218 The Commission may associate with itself such advisory committees as it deems necessary to advise it
2219 with respect to what business practices can be adopted to achieve greater economies and more efficient
2220 service. The expenses of the members of such committees shall be paid from the funds of the Commission.

2221 **§ 30.1-911. Operational and programmatic efficiency and effectiveness reviews.**

2222 A. In addition to the review and evaluation of state entities pursuant to the Legislative Program Review
2223 and Evaluation Act (§ 30.1-914 et seq.), the Commission may establish an operational and programmatic
2224 efficiency and effectiveness review and assessment of any state departments, agencies, and programs. The
2225 Commission may contract with a United States-based private management consulting firm to conduct the
2226 efficiency and effectiveness review and assessment. Such contract shall be pursuant to a fixed price contract
2227 and shall not provide for any payment resulting from the implementation of any recommendations of the
2228 review.

**2229 B. The purpose of the review and assessment shall be to provide an objective and independent cost-
2230 savings assessment of the Commonwealth's organizational structure and its programs in order to provide
2231 information to the General Assembly and the Governor to effect savings in expenditures, a reduction in
2232 duplication of effort, and programmatic efficiencies in the operation of state government. Any review and
2233 assessment conducted pursuant to this section shall take into consideration the results of any prior studies,
2234 audits, or reviews conducted by the Commission, the General Assembly, or the Auditor of Public Accounts,
2235 any Governor-appointed commission or like entity, or any other independent entity that addressed the
2236 structure and operation of state government and identified monetary savings or efficiencies leading to a
2237 reduction in costs or reduced duplication of effort.**

C. The Commission shall submit a report to the General Assembly on the results of any review and assessment by December 1 of the year in which such review is conducted.

§ 30.1-912. Payment of expenses of Commission.

2241 *The salaries, per diems, and other expenses necessary to the functions of the Commission shall be payable
2242 from funds appropriated to the Commission.*

§ 30.1-913. Executive orders; impact statements by the Commission.

2244 A. At the request of the chair of any committee of the General Assembly, the Commission shall review any
2245 executive order issued by the Governor and prepare a statement reflecting the potential fiscal impact of such
2246 executive order on the operations of state government.

2247 *B. The Commission shall forward copies of the impact statement prepared pursuant to subsection A to the*
2248 *requesting chair of the standing committee of both houses of the General Assembly to which matters relating*
2249 *to the content of the executive order are most properly referable.*

Article 2.

Legislative Program Review and Evaluation Act.

§ 30.1-914. Definitions.

2253 As used in this article, unless the context requires a different meaning:

2254 *"Agency"* means any agency, authority, board, department, division, commission, institution, bureau, or
2255 like governmental entity of the Commonwealth and includes any entity, public or private, with which any of
2256 the foregoing has entered into a contractual relationship to accomplish an agency program.

2257 "Functional area" means the grouping of state governmental activities, programs, and agencies that
2258 constitute a single budget function as identified and classified in the Virginia State Government Program
2259 Structure.

§ 30.1-915. Functional areas; scheduling of study areas.

2261 A. The functional areas of state government shall be scheduled for legislative review and evaluation by
2262 the Joint Legislative Audit and Review Commission (the Commission) as specified in subsection B on a
2263 regular basis.

2264 B. From time to time as may be required, the House of Delegates and the Senate shall by joint resolution
2265 direct the review of specified functional areas of state government. In the absence of a resolution, the
2266 Commission shall select a functional area for review on an annual basis.

§ 30.1-916. Evaluation criteria.

2268 Each study carried out pursuant to this article shall consider, as required, (i) that there is a valid public
2269 need for the program or agency; (ii) that legislative intent is being carried out; (iii) that program and agency
2270 performance has been in the public interest; (iv) that program objectives have been defined; (v) that intended
2271 program outcomes are measurable and have been accomplished; (vi) that program and agency operations
2272 are managed efficiently, economically, and effectively; or (vii) such other specific criteria as the Commission
2273 or the General Assembly deems necessary and desirable.

§ 30.1-917. Access to information.

2275 For the purpose of carrying out its duties under this article and notwithstanding any contrary provision of
2276 law, the Commission shall have access to the records and facilities of every agency whose operations are
2277 financed in whole or in part by state funds to the extent that such records and facilities are related to the
2278 expenditure of such funds. All such agencies shall cooperate with the Commission and, when requested, shall
2279 provide specific information in the form requested.

§ 30.1-918. Reporting.

2281 *The Commission shall publish and submit its reports with appropriate findings and recommendations to*
2282 *the members of the General Assembly and the Governor.*

§ 30.1-919. Operation and construction of article.

2284 *A. The operation of this article shall not restrict the power of the General Assembly to study or act on any*
2285 *matter at any time.*

B. The operation of this article shall not imply or require the termination of any state agency or program.

2287 C. Nothing in this article shall be construed to restrict the Commission from holding hearings on any
2288 subject as may be required nor shall operation of this article limit the Commission from such other activities
2289 as may be authorized by law or custom.

Virginia Retirement System Oversight Act.

§ 30.1-920. Oversight of the Virginia Retirement System.

The General Assembly designates the Joint Legislative Audit and Review Commission (the Commission) to oversee and evaluate the Virginia Retirement System (the Retirement System or the System) on a continuing basis and to make such special studies and reports as may be requested by the General Assembly, the House Committee on Appropriations, or the Senate Committee on Finance and Appropriations.

§ 30.1-921. Powers and duties of the Commission.

A. The areas of review and evaluation to be conducted by the Commission shall include the following: (i) structure and governance of the Retirement System; (ii) structure of the investment portfolio; (iii) investment practices, policies, and performance, including the effect of investment performance on employer contributions; (iv) actuarial policy and the actuarial soundness of the Retirement System's trust funds; and (v) administration and management of the Retirement System.

B. For the purpose of carrying out its duties under this article and notwithstanding any contrary provision of law, the Commission shall have the power to:

1. Access the information, records, and facilities of the Retirement System and any of its corporations or subsidiaries or other entities owned, directly or indirectly, or otherwise created by or on behalf of the Retirement System.

2. Access the public and executive session meetings and records of the board of trustees of the Retirement System, as well as those of the Retirement System's investment advisory committee and real estate advisory committee. Access shall include the right to attend such meetings.

3. Access the Retirement System's employees, consultants, actuaries, investment managers, advisors, attorneys, accountants, or other contractors in the employ or hire of the Retirement System. Such persons shall cooperate with the Commission and upon its request shall provide specific information or opinions in the form requested.

C. The chair of the Commission may appoint a permanent subcommittee to provide guidance and direction for oversight activities, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.

D. Confidential or proprietary records of the Retirement System or its subsidiary corporations provided to the Commission shall be exempt from the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

§ 30.1-922. Required reports.

A. The Retirement System shall submit to the General Assembly, through the Commission, semiannual reports on the investment programs of the Retirement System. The reports shall be presented in a format approved by the Commission and shall include information concerning (i) planned or actual material changes in asset allocation, (ii) investment performance of all asset classes and subclasses, and (iii) investment policies and programs.

B. The Retirement System shall also submit a biennial report on the actuarial soundness of its trust funds that shall include (i) funding policy and objectives, (ii) current and projected funding levels, (iii) current and projected contribution rates, and (iv) actuarial assumptions.

C. The Retirement System shall furnish such reports or information as may be requested by standing committees of the General Assembly having jurisdiction over the subject matter that is the basis of such committees' inquiry.

D. The Commission shall publish the following reports concerning the Retirement System: (i) a biennial status report that shall include, at a minimum and where appropriate, findings and recommendations and the status of actions, if any, taken in response to prior recommendations and (ii) with the assistance of an actuary, an actuarial report once every four years.

E. The Commission's staff shall prepare and maintain an informational guide to the Retirement System for the members of the General Assembly.

F. The Auditor of Public Accounts shall complete an annual financial audit of the Retirement System, the State Police Officers' Retirement System, and the Judicial Retirement System. The Auditor of Public Accounts shall report the findings of his audit to the General Assembly, the Governor, the Commission, and the board of trustees of the Retirement System. Such audit shall be submitted on or before the first day of the General Assembly session.

§ 30.1-923. Use of consultants.

The Commission may employ on a consulting basis such investment, actuarial, and other professional or technical experts as may be reasonably necessary for the Commission to fulfill its responsibilities under this article. Such consultants shall provide, upon request, assistance to the House Committee on Appropriations and the Senate Committee on Finance and Appropriations on matters related to the Retirement System.

§ 30.1-924. Cooperation of other agencies.

All agencies of the Commonwealth shall cooperate as requested by the Commission in the performance of its duties under this article.

§ 30.1-925. Funding for Commission's oversight activities.

The Commission's reasonable and necessary expenses related to its duties under this article shall be paid

2353 by the Retirement System and shall be borne by each trust fund in the Retirement System in the same ratio as
 2354 the assets of each trust fund, as of the preceding June 30, bear to the total trust funds of the Retirement
 2355 System on that date. On or before September 30 of each year, the Commission shall submit to the board of
 2356 trustees of the Retirement System an itemized estimate for the next fiscal year of the amounts necessary to pay
 2357 the Commission's expenses related to its duties under this article and shall include the estimate as part of its
 2358 budget submission to the House Committee on Appropriations and the Senate Committee on Finance and
 2359 Appropriations.

2360 **Article 4.**

2361 **Commonwealth Savers Plan Oversight Act.**

2362 **§ 30.1-926. Oversight of the Commonwealth Savers Plan.**

2363 The General Assembly designates the Joint Legislative Audit and Review Commission (the Commission)
 2364 to oversee and evaluate the Commonwealth Savers Plan on a continuing basis and to make such special
 2365 studies and reports as may be requested by the General Assembly, the House Committee on Appropriations,
 2366 or the Senate Committee on Finance and Appropriations.

2367 **§ 30.1-927. Powers and duties of the Commission.**

2368 A. The areas of review and evaluation to be conducted by the Commission shall include the following: (i)
 2369 structure and governance of the Commonwealth Savers Plan; (ii) structure of the investment portfolio; (iii)
 2370 investment practices, policies, and performance; (iv) actuarial policy; and (v) administration and
 2371 management of the Commonwealth Savers Plan.

2372 B. For the purpose of carrying out its duties under this article, the Commission shall have the power to:

2373 1. Access the information, records, and facilities of the Commonwealth Savers Plan and any of its
 2374 corporations or subsidiaries or other entities owned, directly or indirectly, or otherwise created by or on
 2375 behalf of the Commonwealth Savers Plan.

2376 2. Access the public and executive session meetings and records of the board of the Commonwealth
 2377 Savers Plan, as well as those of any advisory committees. Access shall include the right to attend such
 2378 meetings.

2379 3. Access the Commonwealth Savers Plan's employees, consultants, actuaries, investment managers,
 2380 advisors, attorneys, accountants, or other contractors in the employ or hire of the Commonwealth Savers
 2381 Plan. Such persons shall cooperate with the Commission and upon its request shall provide specific
 2382 information or opinions in the form requested.

2383 C. The chair of the Commission may appoint a permanent subcommittee to provide guidance and
 2384 direction for oversight activities, subject to the full Commission's supervision and such guidelines as the
 2385 Commission itself may provide.

2386 D. Confidential or proprietary records of the Commonwealth Savers Plan or its subsidiary corporations
 2387 provided to the Commission shall be exempt from the Virginia Freedom of Information Act (§ 2.2-3700 et
 2388 seq.).

2389 **§ 30.1-928. Required reports.**

2390 A. The Commonwealth Savers Plan shall submit to the General Assembly, through the Commission,
 2391 annual reports on the investment programs of the Commonwealth Savers Plan. The reports shall be
 2392 presented in a format approved by the Commission and shall include information concerning (i) planned or
 2393 actual material changes in asset allocation, (ii) investment performance of all asset classes and subclasses,
 2394 and (iii) investment policies and programs.

2395 B. The Commonwealth Savers Plan shall submit an annual report on the actuarial soundness of the
 2396 Commonwealth Savers Plan's prepaid programs, which shall include (i) contract pricing policies and
 2397 objectives, (ii) current and projected assets and actuarially estimated value of tuition obligations, and (iii)
 2398 actuarial assumptions.

2399 C. The Commonwealth Savers Plan shall furnish such reports or information as may be requested by the
 2400 Commission or standing committees of the General Assembly having jurisdiction over the subject matter that
 2401 is the basis of such committees' inquiry.

2402 D. The Commission shall publish the following reports concerning the Commonwealth Savers Plan: (i) a
 2403 biennial status report that shall include, at a minimum and where appropriate, findings and
 2404 recommendations and (ii) with the assistance of an actuary, a review of the Commonwealth Savers Plan's
 2405 annual actuarial valuation reports once every four years.

2406 **§ 30.1-929. Use of consultants.**

2407 The Commission may employ on a consulting basis such investment, actuarial, and other professional or
 2408 technical experts as may be reasonably necessary for the Commission to fulfill its responsibilities under this
 2409 article. Such consultants shall provide, upon request, assistance to the House Committee on Appropriations
 2410 and Senate Committee on Finance and Appropriations on matters related to the Commonwealth Savers Plan.

2411 **§ 30.1-930. Cooperation of other agencies.**

2412 All agencies of the Commonwealth shall cooperate as requested by the Commission in the performance of
 2413 its duties under this article.

2414 **§ 30.1-931. Funding for the Commission's oversight activities.**

2415 The Commission's reasonable and necessary expenses related to its duties under this article shall be paid
2416 by the Commonwealth Savers Plan. On or before September 30 of each year, the Commission shall submit to
2417 the board of the Commonwealth Savers Plan an itemized estimate for the next fiscal year of the amounts
2418 necessary to pay the Commission's expenses related to its duties under this article and shall include the
2419 estimate as part of the agency's budget submission to the House Committee on Appropriations and the Senate
2420 Committee on Finance and Appropriations.

Article 5.

Virginia Information Technologies Agency Oversight Act.

§ 30.1-932. Oversight of the Virginia Information Technologies Agency.

2424 A. The General Assembly designates the Joint Legislative Audit and Review Commission (the
2425 Commission) to review and evaluate the Virginia Information Technologies Agency (VITA) on a continuing
2426 basis and to make such special studies and reports as may be requested by the General Assembly, the House
2427 Committee on Appropriations, or the Senate Committee on Finance and Appropriations.

2428 B. The chair of the Commission may appoint a permanent subcommittee to provide guidance and
2429 direction for the review and evaluation of VITA, subject to the Commission's supervision and such guidelines
2430 as the Commission may provide.

§ 30.1-933. Areas of review and evaluation.

A. The areas of review and evaluation to be conducted by the Commission shall include the following: (i) VITA's infrastructure services, including its infrastructure outsourcing contracts and any amendments to such contracts; (ii) the adequacy of VITA's planning and oversight responsibilities, including VITA's oversight of information technology projects and the security of governmental information and information technology systems; and (iii) the cost-effectiveness and adequacy of VITA's procurement services and its oversight of the procurement activities of state agencies.

B. All agencies of the Commonwealth shall cooperate as requested by the Commission in the performance of its duties under this article.

§ 30.1-934. Access to information.

2441 For the purpose of carrying out its duties under this article and notwithstanding any contrary provision of
2442 law, the Commission shall have the legal authority to access the information, records, facilities, and
2443 employees of VITA.

§ 30.1-935. Confidentiality of private entity records; exceptions.

2445 A. Records provided to VITA by a private entity pertaining to VITA's comprehensive infrastructure
2446 agreement or any successor contract, or any contractual amendments to such agreement or contract, for the
2447 operation of the Commonwealth's information technology infrastructure shall be exempt from the Virginia
2448 Freedom of Information Act (§ 2.2-3700 et seq.) to the extent that such records contain (i) trade secrets, as
2449 defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), of the private entity or (ii) financial records of
2450 the private entity, including balance sheets and financial statements, that are not generally available to the
2451 public through regulatory disclosure or otherwise. In order for the records specified in clauses (i) and (ii) to
2452 be excluded from the Virginia Freedom of Information Act, the private entity shall make a written request to
2453 VITA (a) invoking such exclusion upon submission of the data or other materials for which protection from
2454 disclosure is sought, (b) identifying with specificity the data or other materials for which protection is sought,
2455 and (c) stating the reasons why such protection is necessary.

B. VITA shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial records of the private entity. VITA shall make a written determination of the nature and scope of the protection afforded under this section. Once a written determination is made by VITA, any protected records shall continue to be protected from disclosure when in the possession of VITA or the Commission.

2461 C. Except as specifically provided, nothing in this section shall be construed to authorize the withholding
2462 of (i) procurement records as required by § 56-575.17; (ii) information concerning the terms and conditions
2463 of any interim or comprehensive agreement, service contract, lease, partnership, or any agreement of any
2464 kind entered into by VITA and the private entity; (iii) information concerning the terms and conditions of any
2465 financing arrangement that involves the use of any public funds; or (iv) information concerning the
2466 performance of the private entity under the comprehensive infrastructure agreement or any successor
2467 contract, or any amendments to such agreement or contract, for the operation of the Commonwealth's
2468 information technology infrastructure.

Article 6.

Economic Development Incentives Oversight Act.

§ 30.1-936. Oversight of economic development incentives and policies.

2472 A. *The General Assembly designates the Joint Legislative Audit and Review Commission (the*
2473 *Commission) to conduct, on a continuing basis, a review and evaluation of economic development incentives*
2474 *and policies and to make such special studies and reports as may be requested by the General Assembly, the*
2475 *House Committee on Appropriations, or the Senate Committee on Finance and Appropriations.*

2476 B. The chair of the Commission may appoint a permanent subcommittee to provide guidance and

2477 direction for ongoing review and evaluation activities, subject to the Commission's supervision and such
 2478 guidelines as the Commission may provide.

2479 **§ 30.1-937. Areas of review and evaluation.**

2480 The areas of review and evaluation to be conducted by the Commission shall include the following: (i)
 2481 spending on and performance of individual economic development incentives, including grants, tax
 2482 preferences, and other assistance; (ii) economic benefits to the Commonwealth of total spending on economic
 2483 development incentives at least biennially; (iii) effectiveness, value to taxpayers, and economic benefits to the
 2484 Commonwealth of individual economic development incentives on a cycle approved by the Commission; and
 2485 (iv) design, oversight, and accountability of economic development entities, incentives, and policies as
 2486 needed.

2487 **§ 30.1-938. Access to information.**

2488 A. For the purpose of carrying out its duties under this article and notwithstanding any contrary provision
 2489 of law, the Commission shall have the legal authority to access the information, records, facilities, and
 2490 employees, including confidential information, and the public and executive session meetings and records of
 2491 the board of the Virginia Economic Development Partnership Authority (the Authority), that discuss
 2492 economic development incentives and policies for the purpose of carrying out such duties in accordance with
 2493 the established standards, processes, and practices exercised by the Commission. Such access shall include
 2494 the right to attend such meetings for the purpose of carrying out such duties. Any nondisclosure agreement
 2495 that the Authority enters into on or after July 1, 2016, for the provision of confidential and proprietary
 2496 information to the Authority by a third party shall require that the Commission also be allowed access to
 2497 such information for the purposes of carrying out its duties.

2498 B. Notwithstanding the provisions of § 58.1-3 or any other provision of law, unless prohibited by federal
 2499 law, an agreement with a federal entity, or a court decree, the Tax Commissioner is authorized to provide to
 2500 the Commission such tax information as may be necessary to conduct oversight of economic development
 2501 incentives and policies.

2502 C. All agencies of the Commonwealth shall cooperate as requested by the Commission in the performance
 2503 of its duties under this article.

2504 **§ 30.1-939. Confidentiality of records.**

2505 The following records shall be excluded from the provisions of the Virginia Freedom of Information Act
 2506 (§ 2.2-3700 et seq.) and shall not be disclosed by the Commission:

2507 1. Records provided by a public body, as defined in § 2.2-3701, to the Commission in connection with its
 2508 oversight of economic development initiatives and policies, where the records would not be subject to
 2509 disclosure by the public body providing the records. The public body providing the records to the
 2510 Commission shall identify the specific portion of the records to be protected and the applicable provision of
 2511 the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) or other provision of law that excludes the
 2512 record or portions thereof from mandatory disclosure.

2513 2. Confidential proprietary records provided by private entities pursuant to a promise of confidentiality
 2514 from the Commission that are used by the Commission in connection with its oversight of economic
 2515 development incentives and policies where, if such records are made public, the financial interest of the
 2516 private entity would be adversely affected.

2517 **§ 30.1-940. Use of consultants.**

2518 The Commission may employ on a consulting basis such professional or technical experts as may be
 2519 reasonably necessary for the Commission to fulfill its responsibilities under this article.

2520 **CHAPTER 10.**

2521 **REAPPORTIONMENT AND REDISTRICTING.**

2522 **Article 1.**

2523 *Joint Reapportionment Committee.*

2524 **§ 30.1-1000. Joint Reapportionment Committee; membership; terms; quorum; compensation and
 2525 expenses.**

2526 A. The Joint Reapportionment Committee (the Joint Committee) is established in the legislative branch of
 2527 state government. The Joint Committee shall consist of five members of the House Committee on Privileges
 2528 and Elections and three members of the Senate Committee on Privileges and Elections to be appointed by the
 2529 respective chairs of the two committees. Members shall serve terms coincident with their terms of office.

2530 B. The Joint Committee shall elect a chair and vice-chair from among its membership. A majority of the
 2531 members of the Joint Committee shall constitute a quorum. The meetings of the Joint Committee shall be held
 2532 at the call of the chair or whenever the majority of the members so request.

2533 C. The Joint Committee shall supervise activities required for the tabulation of population for the census
 2534 and for the timely reception of precinct population data for reapportionment.

2535 D. Members shall receive such compensation as provided in § 30.1-109 and shall be reimbursed for all
 2536 reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813
 2537 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided by the
 2538 Office of the Clerk of the House of Delegates and the Office of Clerk of the Senate for their respective

2539 members.

2540 **§ 30.1-1001. Staffing.**

2541 *The Division of Legislative Services shall provide staff support to the Joint Committee.*

2542 **§ 30.1-1002. Reapportionment of congressional and state legislative districts; United States Census**
2543 **population counts.**

2544 *For purposes of redrawing the boundaries of the congressional, state Senate, and House of Delegates*
2545 *districts after the United States Census for the year 2020 and every 10 years thereafter, the Virginia*
2546 *Redistricting Commission established pursuant to Article 2 (§ 30.1-1003 et seq.) shall use the population*
2547 *data provided by the United States Bureau of the Census, as adjusted by the Division of Legislative Services*
2548 *pursuant to § 24.2-314. The census data used for this apportionment purpose shall not include any*
2549 *population figure that is not allocated to specific census blocks within the Commonwealth, even though that*
2550 *population may have been included in the apportionment population figures of the Commonwealth for the*
2551 *purpose of allocating United States House of Representatives seats among the states.*

2552 **Article 2.**

2553 **Virginia Redistricting Commission.**

2554 **§ 30.1-1003. Virginia Redistricting Commission; definitions.**

2555 *A. The Virginia Redistricting Commission is established in the legislative branch of state government. It*
2556 *shall be convened in the year 2020 and every 10 years thereafter for the purpose of establishing districts for*
2557 *the United States House of Representatives and for the Senate and the House of Delegates of the General*
2558 *Assembly.*

2559 *B. For purposes of this article, unless the context requires a different meaning:*

2560 *"Census data" means the population data received from the United States Bureau of the Census pursuant*
2561 *to P.L. 94-171.*

2562 *"Commission" means the Virginia Redistricting Commission established pursuant to this article.*

2563 *"Committee" means the Redistricting Commission Selection Committee established pursuant to*
2564 *§ 30.1-1005.*

2565 *"Partisan public office" means (i) an elective or appointive office in the executive or legislative branch or*
2566 *in an independent establishment of the federal government; (ii) an elective office in the executive or*
2567 *legislative branch of the government of the Commonwealth, or an office that is filled by appointment and is*
2568 *exempt from the Virginia Personnel Act (§ 2.2-2900 et seq.); or (iii) an office of a county, city, or other*
2569 *political subdivision of the Commonwealth that is filled by an election process involving nomination and*
2570 *election of candidates on a partisan basis.*

2571 *"Political party office" means an elective office in the national or state organization of a political party,*
2572 *as defined in § 24.2-101.*

2573 **§ 30.1-1004. Membership; terms; vacancies; chair; quorum; compensation and expenses.**

2574 *A. The Virginia Redistricting Commission shall have a total membership of 16 commissioners that shall*
2575 *include eight legislative commissioners and eight citizen commissioners. Commissioners shall be appointed*
2576 *as follows:*

2577 *1. Two members of the Senate of Virginia representing the political party having the highest number of*
2578 *members in the Senate and appointed by the President pro tempore of the Senate;*

2579 *2. Two members of the Senate of Virginia representing the political party having the next highest number*
2580 *of members in the Senate and appointed by the leader of that political party;*

2581 *3. Two members of the House of Delegates representing the political party having the highest number of*
2582 *members in the House of Delegates and appointed by the Speaker of the House of Delegates;*

2583 *4. Two members of the House of Delegates representing the political party having the next highest*
2584 *number of members in the House of Delegates and appointed by the leader of that political party; and*

2585 *5. Eight citizen commissioners selected by the Redistricting Commission Selection Committee pursuant to*
2586 *§ 30.1-1006. No appointing authority shall appoint himself to serve as a legislative commissioner or a citizen*
2587 *commissioner.*

2588 *B. Legislative commissioners selected to serve as commissioners of the Commission shall be appointed by*
2589 *the respective authorities no later than December 1 of the year ending in zero and shall continue to serve*
2590 *until their successors are appointed. In making appointments to the Commission, the appointing authorities*
2591 *shall endeavor to have their appointees reflect the racial, ethnic, geographic, and gender diversity of the*
2592 *Commonwealth. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired*
2593 *terms. Vacancies shall be filled in the same manner as the original appointment, such that the proper*
2594 *partisan balance of the Commission is maintained.*

2595 *C. Citizen commissioners selected to serve as commissioners of the Virginia Redistricting Commission*
2596 *shall be selected by the Redistricting Commission Selection Committee as provided in § 30.1-1006. In making*
2597 *its selections, the Committee shall ensure the citizen commissioners are, as a whole, representative of the*
2598 *racial, ethnic, geographic, and gender diversity of the Commonwealth. Citizen commissioners shall be*
2599 *appointed no later than January 15 of the year ending in one and shall continue to serve until their*
2600 *successors are appointed. Appointments to fill vacancies, other than by expiration of a term, shall be for the*

2601 unexpired terms. Vacancies shall be filled by the Commission selecting a replacement from the list submitted
 2602 pursuant to subsection E of § 30.1-1006 from which the commissioner being replaced was selected and shall
 2603 require an affirmative vote of a majority of the commissioners, including at least one commissioner
 2604 representing or affiliated with each political party.

2605 D. Legislative commissioners shall receive such compensation as provided in § 30.1-109, and citizen
 2606 commissioners shall receive such compensation as provided in § 2.2-2813 for their services. All members
 2607 shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as
 2608 provided in §§ 2.2-2813 and 2.2-2825. All such compensation and expense payments shall come from
 2609 existing appropriations to the Commission.

2610 E. By February 1 of the year ending in one, the Commission shall hold a public meeting at which it shall
 2611 select a chair from its membership. The chair shall be a citizen commissioner and shall be responsible for
 2612 coordinating the work of the Commission. A majority of the commissioners appointed, which majority shall
 2613 include a majority of the legislative commissioners and a majority of the citizen commissioners, shall
 2614 constitute a quorum.

2615 F. All meetings and records of the Commission shall be subject to the Virginia Freedom of Information
 2616 Act (§ 2.2-3700 et seq.), except as provided in subsection E of § 30.1-1006. All records and documents of the
 2617 Commission, or any individual or group performing delegated functions of or advising the Commission,
 2618 related to the Commission's work, including internal communications and communications from outside
 2619 parties, shall be considered public information.

2620 G. Commissioners, staff of the Commission, and any other advisor or consultant to the Commission shall
 2621 not communicate with any person outside the Commission about matters related to reapportionment or
 2622 redistricting outside of a public meeting or hearing. Written public comments submitted to the Commission,
 2623 staff of the Commission, or any other advisor or consultant to the Commission shall not be a violation of this
 2624 subsection.

2625 H. In the event the Commission hires a lawyer or law firm, the Commission as an entity shall be
 2626 considered the client of the lawyer or the law firm. No individual commissioner or group of commissioners
 2627 shall be considered to be the client of the lawyer or the law firm.

2628 **§ 30.1-1005. Redistricting Commission Selection Committee; chair; quorum; compensation and
 2629 expenses.**

2630 A. There shall be a Redistricting Commission Selection Committee established for the purpose of selecting
 2631 the citizen commissioners of the Virginia Redistricting Commission. This committee shall consist of five
 2632 retired judges of the circuit courts of Virginia.

2633 B. By November 15 of the year ending in zero, the Chief Justice of the Supreme Court of Virginia shall
 2634 certify to the Speaker of the House of Delegates, the leader in the House of Delegates of the political party
 2635 having the next highest number of members in the House of Delegates, the President pro tempore of the
 2636 Senate of Virginia, and the leader in the Senate of Virginia of the political party having the next highest
 2637 number of members in the Senate of Virginia a list of at least 10 retired judges of the circuit courts of
 2638 Virginia who are willing to serve on the Committee. No retired judge who is a parent, spouse, child, sibling,
 2639 parent-in-law, child-in-law, or sibling-in-law of, or a cohabitating member of a household with, a member of
 2640 the Congress of the United States or of the General Assembly shall be included in such list. In compiling the
 2641 list, the Chief Justice shall give consideration to the racial, ethnic, geographic, and gender diversity of the
 2642 Commonwealth. The members shall each select a judge from the list and shall promptly, but not later than
 2643 November 20, communicate their selection to the Chief Justice, who shall immediately notify the four judges
 2644 selected. In making their selections, the members shall give consideration to the racial, ethnic, geographic,
 2645 and gender diversity of the Commonwealth. Within three days of being notified of their selection, the four
 2646 judges shall select, by a majority vote, a judge from the list prescribed herein to serve as the fifth member of
 2647 the Committee, who shall serve as the chair of the Committee.

2648 A majority of the Committee members, which majority shall include the chair, shall constitute a quorum.

2649 The judges of the Committee shall serve until their successors are appointed. If a judge cannot, for any
 2650 reason, complete his term, the remaining judges shall select a replacement from the list prescribed herein.

2651 C. Members of the Committee shall receive compensation for their services and shall be allowed all
 2652 reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813
 2653 and 2.2-2825. The compensation and expenses of members and all other necessary expenses of the
 2654 Committee shall be provided from existing appropriations to the Commission.

2655 D. All meetings and records of the Committee shall be subject to the Virginia Freedom of Information Act
 2656 (§ 2.2-3700 et seq.), except as provided in subsection E of § 30.1-1006.

2657 E. Notwithstanding the provisions of § 1-210 regarding the computation of time, if an act required by this
 2658 section is to be performed on a Saturday, Sunday, or legal holiday, or any day or part of a day on which the
 2659 government office where the act to be performed is closed, the act required shall be performed on the first
 2660 business day immediately preceding the Saturday, Sunday, or legal holiday, or day on which the government
 2661 office is closed.

2662 F. Notwithstanding subsection C or any other provision of law, the daily compensation and

2663 reimbursement for reasonable and necessary expenses for legislative and nonlegislative members of the
2664 Virginia Redistricting Commission for attendance at an official meeting shall be set at the same amounts
2665 provided for legislative members in the general appropriation act.

2666 **§ 30.1-1006. Citizen commissioners; application process; qualifications; selection.**

2667 A. Within three days following the selection of the fifth member of the Committee, the Committee shall
2668 adopt an application and process by which residents of the Commonwealth may apply to serve on the
2669 Commission as citizen commissioners. The Division of Legislative Services shall assist the Committee in the
2670 development of the application and process.

2671 The application for service on the Commission shall require applicants to provide personal contact
2672 information and information regarding the applicant's race, ethnicity, gender, age, date of birth, education,
2673 and household income. The application shall require an applicant to disclose, for the period of three years
2674 immediately preceding the application period, the applicant's (i) voter registration status; (ii) preferred
2675 political party affiliation, if any, and any political party primary elections in which he has voted; (iii) history
2676 of any partisan public offices or political party offices held or sought; (iv) employment history, including any
2677 current or prior employment with the Congress of the United States or one of its members, the General
2678 Assembly or one of its members, any political party, or any campaign for a partisan public office, including a
2679 volunteer position; and (v) relevant leadership experience or involvements with professional, social, political,
2680 volunteer, and community organizations and causes.

2681 The application shall require an applicant to disclose information regarding the partisan activities and
2682 employment history of the applicant's parent, spouse, child, sibling, parent-in-law, child-in-law, or sibling-in-
2683 law, or any person with whom the applicant is a cohabitating member of a household, for the period of three
2684 years immediately preceding the application period.

2685 The Committee may require applicants to submit three letters of recommendation from individuals or
2686 organizations.

2687 The application process shall provide for both paper and electronic or online applications. The
2688 Committee shall cause to be advertised throughout the Commonwealth information about the Commission
2689 and how interested persons may apply.

2690 B. To be eligible for service on the Commission, a person shall have been a resident of the
2691 Commonwealth and a registered voter in the Commonwealth for three years immediately preceding the
2692 application period. He shall have voted in at least two of the previous three general elections. No person
2693 shall be eligible for service on the Commission who:

2694 1. Holds, has held, or has sought partisan public office or political party office;
2695 2. Is employed by or has been employed by a member of the Congress of the United States or of the
2696 General Assembly or is employed directly by or has been employed directly by the United States Congress or
2697 by the General Assembly;

2698 3. Is employed by or has been employed by any federal, state, or local campaign;
2699 4. Is employed by or has been employed by any political party or is a member of a political party central
2700 committee;

2701 5. Is a lobbyist registered pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2 or a lobbyist's
2702 principal as defined in § 2.2-419 or has been such a lobbyist or lobbyist's principal in the previous five years;
2703 or

2704 6. Is a parent, spouse, child, sibling, parent-in-law, child-in-law, or sibling-in-law of a person described
2705 in subdivisions 1 through 5, or is a cohabitating member of a household with such a person.

2706 C. The application period shall begin no later than December 1 of the year ending in zero and shall end
2707 four weeks after the beginning date. During this period, interested persons shall submit a completed
2708 application and any required documentation to the Division of Legislative Services. All applications shall be
2709 reviewed by the Division of Legislative Services to ensure an applicant's eligibility for service pursuant to
2710 subsection B, and any applicant who is ineligible for service shall be removed from the applicant pool.

2711 The Division of Legislative Services shall make available the application for persons to use when
2712 submitting a paper application and shall provide electronic access for electronic submission of applications.

2713 D. Within two days of the close of the application period, the Division of Legislative Services shall
2714 provide to the Speaker of the House of Delegates, the leader in the House of Delegates of the political party
2715 having the next highest number of members in the House of Delegates, the President pro tempore of the
2716 Senate of Virginia, and the leader in the Senate of Virginia of the political party having the next highest
2717 number of members in the Senate of Virginia the applications and documentation submitted by those
2718 applicants who are eligible for service on the Commission pursuant to subsection B and submitted complete
2719 applications, including any required documentation.

2720 E. By January 1 of the year ending in one, those persons receiving the applications pursuant to subsection
2721 D shall each submit to the Committee a list of at least 16 citizen candidates for service on the Commission. In
2722 selecting citizen candidates, they shall give consideration to the racial, ethnic, geographic, and gender
2723 diversity of the Commonwealth.

2724 They shall notify the Division of Legislative Services of the citizen candidates submitted to the Committee

2725 for consideration, and the Division of Legislative Services shall promptly provide to the Committee the
 2726 applications and documentation for each citizen candidate being considered. Only the applications and
 2727 documentation for each citizen candidate shall be maintained as public records.

2728 F. Within two weeks of receipt of the lists of citizen candidates and related materials pursuant to
 2729 subsection E, but no later than January 15, the Committee shall select, by a majority vote in a public meeting,
 2730 two citizen members from each list submitted. In making its selections, the Committee shall ensure the citizen
 2731 commissioners are, as a whole, representative of the racial, ethnic, geographic, and gender diversity of the
 2732 Commonwealth. The Committee shall promptly notify those eight citizens of their selection to serve as a
 2733 citizen commissioner of the Commission.

2734 No member of the Committee shall communicate with a member of the General Assembly or the United
 2735 States Congress, or any person acting on behalf of a member of the General Assembly or the United States
 2736 Congress, about any matter related to the selection of citizen commissioners after receipt of the lists
 2737 submitted pursuant to subsection E.

2738 G. Notwithstanding the provisions of § 1-210 regarding the computation of time, if an act required by this
 2739 section is to be performed on a Saturday, Sunday, or legal holiday, or any day or part of a day on which the
 2740 government office where the act to be performed is closed, the act required shall be performed on the first
 2741 business day immediately preceding the Saturday, Sunday, or legal holiday, or day on which the government
 2742 office is closed.

2743 **§ 30.1-1007. Staff to Commission; census liaison.**

2744 A. The Division of Legislative Services shall provide staff support to the Commission. Staff shall perform
 2745 those duties assigned to it by the Commission. The Director of the Division of Legislative Services, or his
 2746 designated representative, shall serve as the state liaison with the United States Bureau of the Census on
 2747 matters relating to the tabulation of the population for reapportionment purposes pursuant to P.L. 94-171.
 2748 The governing bodies, electoral boards, and registrars of every county and municipality shall cooperate with
 2749 the Division of Legislative Services in the exchange of all statistical and other information pertinent to
 2750 preparation for the census.

2751 B. The Division of Legislative Services shall maintain the current election district and precinct
 2752 boundaries of each county and city as a part of the Commission's computer-assisted mapping and
 2753 redistricting system. Whenever a county or city governing body adopts an ordinance that changes an election
 2754 district or precinct boundary, the local governing body shall provide a copy of its ordinance, along with
 2755 Geographic Information System (GIS) maps and other evidence documenting the boundary, to the Division of
 2756 Legislative Services.

2757 **§ 30.1-1008. Public participation in redistricting process; publicly available data.**

2758 A. All meetings and hearings held by the Commission shall be adequately advertised and planned to
 2759 ensure the public is able to attend and participate fully. Meetings and hearings shall be advertised in multiple
 2760 languages as practicable and appropriate.

2761 B. Prior to proposing any plan for districts for the United States House of Representatives, the Senate, or
 2762 the House of Delegates and prior to voting to submit such plans to the General Assembly, the Commission
 2763 shall hold at least three public hearings in order to receive and consider comments from the public. Public
 2764 hearings may be held virtually and any public hearings that are held in person shall be conducted in different
 2765 parts of the Commonwealth.

2766 C. The Commission shall establish and maintain a website or other equivalent electronic platform. The
 2767 website shall be available to the general public and shall be used to disseminate information about the
 2768 Commission's activities. The website shall be capable of receiving comments and proposals by citizens of the
 2769 Commonwealth. Prior to voting on any proposed plan, the Commission shall publish the proposed plans on
 2770 the website.

2771 D. All data used by the Commission in the drawing of districts shall be available to the public on its
 2772 website. Such data, including census data, precinct maps, election results, and shapefiles, shall be posted
 2773 within three days of receipt by the Commission.

2774 E. The block equivalency files and shapefiles for the congressional, Senate, and House of Delegates
 2775 districts established pursuant to this article and Article II, Section 6-A of the Constitution of Virginia shall be
 2776 maintained and available to the public on the Commission's website. Such block equivalency files and
 2777 shapefiles shall be controlling in any legal determination of the boundary of a congressional, Senate, or
 2778 House of Delegates district.

2779 **§ 30.1-1009. Proposal and submission of plans for districts.**

2780 A. The Commission shall submit to the General Assembly plans for districts for the Senate and the House
 2781 of Delegates of the General Assembly no later than 45 days following the receipt of census data.

2782 To be submitted as a proposed plan for districts for members of the Senate, a plan shall receive
 2783 affirmative votes of at least six of the eight legislative commissioners, including at least three of the four
 2784 legislative commissioners who are members of the Senate, and at least six of the eight citizen commissioners.

2785 To be submitted as a proposed plan for districts for members of the House of Delegates, a plan shall
 2786 receive affirmative votes of at least six of the eight legislative commissioners, including at least three of the

2787 *four legislative commissioners who are members of the House of Delegates, and at least six of the eight*
2788 *citizen commissioners.*

2789 *B. The Commission shall submit to the General Assembly plans for districts for the United States House of*
2790 *Representatives no later than 60 days following the receipt of census data or by the first day of July of that*
2791 *year, whichever occurs first.*

2792 *To be submitted as a proposed plan for districts for members of the United States House of*
2793 *Representatives, a plan shall receive affirmative votes of at least six of the eight legislative commissioners*
2794 *and at least six of the eight citizen commissioners.*

2795 *C. If the Commission fails to submit a plan for districts by the deadline set forth in subsection A or B, the*
2796 *Commission shall have 14 days following its initial failure to submit a plan to the General Assembly. If the*
2797 *Commission fails to submit a plan for districts to the General Assembly by this date, the districts shall be*
2798 *established by the Supreme Court of Virginia pursuant to § 30.1-1011.*

2799 *D. All plans submitted pursuant to this section shall comply with the criteria and standards set forth in*
2800 *§ 24.2-304.04.*

2801 **§ 30.1-1010. Consideration of plans by the General Assembly; timeline.**

2802 *A. All plans for districts for the Senate and the House of Delegates shall be embodied in and voted on as a*
2803 *single bill.*

2804 *B. All bills embodying plans for districts for the United States House of Representatives, the Senate, or the*
2805 *House of Delegates shall be voted on by the General Assembly in accordance with the provisions of Article*
2806 *IV, Section 11 of the Constitution of Virginia, except no amendments shall be permitted. All bills embodying a*
2807 *plan that are approved by both houses shall become law without the signature of the Governor and, pursuant*
2808 *to Article II, Section 6 of the Constitution of Virginia, shall take effect immediately.*

2809 *C. Within 15 days of receipt of any plan for districts, the General Assembly shall take a vote on a bill*
2810 *embodying such plan. If the General Assembly fails to adopt the bill by this deadline, the Commission shall*
2811 *submit a new plan for districts within 14 days of the General Assembly's failure to adopt the bill. Within*
2812 *seven days of receipt of such plan, the General Assembly shall take a vote on the bill embodying the plan, and*
2813 *if the General Assembly fails to adopt the plan by this deadline, the districts shall be established by the*
2814 *Supreme Court of Virginia pursuant to § 30.1-1011.*

2815 *D. If the Commission submits a plan for districts pursuant to subsection C of § 30.1-1009, the General*
2816 *Assembly shall take a vote on such plan within seven days of its receipt. If the General Assembly fails to*
2817 *adopt the plan by this deadline, the districts shall be established by the Supreme Court of Virginia pursuant*
2818 *to § 30.1-1011.*

2819 **§ 30.1-1011. Establishment of districts by the Supreme Court of Virginia.**

2820 *A. In the event the Commission fails to submit a plan for districts by the deadline set forth in subsection A*
2821 *or B of § 30.1-1009, or the General Assembly fails to adopt a plan for districts by the deadline set forth in*
2822 *subsection C or D of § 30.1-1010, the Supreme Court of Virginia (the Court) shall be responsible for*
2823 *establishing the districts.*

2824 *B. The Court shall, not later than March 1 of a year ending in one, enact rules and procedures as may be*
2825 *necessary for implementing the requirements of Article II, Section 6-A of the Constitution of Virginia,*
2826 *empowering the Court to establish congressional or state legislative districts as provided for in that section.*
2827 *In enacting such rules and procedures, the Court shall follow the provisions of this section.*

2828 *C. Public participation in the Court's redistricting deliberations shall be permitted. Such public*
2829 *participation may be through briefings, written submissions, hearings in open court, or any other means as*
2830 *may be prescribed by the Court.*

2831 *D. The Division of Legislative Services shall make available staff support and technical assistance to the*
2832 *Court to perform those duties as may be requested or assigned to it by the Court.*

2833 *E. Any plan for congressional or state legislative districts established by the Court shall adhere to the*
2834 *standards and criteria for districts set forth in Article II, Section 6 of the Constitution of Virginia and*
2835 *§ 24.2-304.04.*

2836 *F. The Court shall appoint two special masters to assist the Court in the establishment of districts. The*
2837 *two special masters shall work together to develop any plan to be submitted to the Court for its*
2838 *consideration.*

2839 *Within one week of the Commission's failure to submit plans or the General Assembly's failure to adopt*
2840 *plans, the leaders in the House of Delegates having the highest and next highest number of members in the*
2841 *House of Delegates and the leaders in the Senate of Virginia having the highest and next highest number of*
2842 *members in the Senate of Virginia shall each submit to the Court a list of three or more nominees, along with*
2843 *a brief biography and resume for each nominee, including the nominee's particular expertise or experience*
2844 *relevant to redistricting. The Court shall then select, by a majority vote, one special master from the lists*
2845 *submitted by the legislative leaders of the political party having the highest number of members in their*
2846 *respective chambers and one special master from the lists submitted by the legislative leaders of the political*
2847 *party having the next highest number of members in their respective chambers. The persons appointed to*
2848 *serve as special masters shall have the requisite qualifications and experience to serve as a special master*

2849 and shall have no conflicts of interest. In making its appointments, the Court shall consider any relevant
 2850 redistricting experience in the Commonwealth and any practical or academic experience in the field of
 2851 redistricting. The Court shall be reimbursed by the Commonwealth for all costs, including fees and expenses,
 2852 related to the appointment or work of the special master from funds appropriated for this purpose.

2853 G. Any justice who is a parent, spouse child, sibling, parent-in-law, child-in-law, or sibling-in-law of, or a
 2854 cohabitating member of a household with, a member of the Congress of the United States or of the General
 2855 Assembly shall recuse himself from any decision made pursuant to this section, and no senior justice
 2856 designated pursuant to § 17.1-302 shall be assigned to the case or matter to serve in his place.

2857 **§ 30.1-1012. Remedial redistricting plans.**

2858 If any congressional or state legislative district established pursuant to this article or the provisions of
 2859 Article II, Sections 6 and 6-A of the Constitution of Virginia is declared unlawful or unconstitutional, in
 2860 whole or in part, by order of any state or federal court, the Commission shall be convened to determine and
 2861 propose a redistricting plan to remedy the unlawful or unconstitutional district.

2862 **SUBTITLE III.**

2863 **LEGISLATIVE COMMISSIONS, COUNCILS, COMMITTEES, AND OTHER LEGISLATIVE ENTITIES.**

2864 **CHAPTER 11.**

2865 **GENERAL PROVISIONS.**

2866 **§ 30.1-1100. Application of this chapter.**

2867 As used in this chapter, unless the context requires a different meaning, "legislative entity" means any
 2868 board, commission, council, advisory body, committee, subcommittee, or other collegial entity created by the
 2869 General Assembly. The provisions of this chapter shall apply to all legislative entities contained in this
 2870 subtitle unless otherwise specified.

2871 **§ 30.1-1101. Membership; chair and vice-chair; terms; vacancies.**

2872 A. For any legislative entity created on or after October 1, 2026, the number of legislative members shall
 2873 exceed the number of nonlegislative citizen members and voting ex officio members combined. Nonlegislative
 2874 citizen members of a legislative entity shall be citizens of the Commonwealth.

2875 B. Each legislative entity shall annually elect a chair and vice-chair from among its membership, who
 2876 shall be members of the General Assembly.

2877 C. Legislative members and ex officio members of a legislative entity shall serve terms coincident with
 2878 their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments
 2879 to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative members
 2880 and nonlegislative citizen members may be reappointed. However, no House member shall serve more than
 2881 four consecutive two-year terms, no Senate member shall serve more than two consecutive four-year terms,
 2882 and no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder
 2883 of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the
 2884 member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original
 2885 appointments.

2886 **§ 30.1-1102. Quorum; meetings; voting on recommendations.**

2887 A. A majority of the members of a legislative entity shall constitute a quorum. The meetings of a
 2888 legislative entity shall be held at the call of the chair or whenever the majority of the members so request.

2889 B. No recommendation of a legislative entity shall be adopted if a majority of the House members or a
 2890 majority of the Senate members appointed to the legislative entity (i) vote against the recommendation and
 2891 (ii) vote for the recommendation to fail notwithstanding the majority vote of the legislative entity.

2892 **§ 30.1-1103. Compensation; expenses.**

2893 A. Legislative members of a legislative entity shall receive such compensation for the performance of their
 2894 duties as provided in § 30.1-109, and nonlegislative citizen members of a legislative entity shall receive such
 2895 compensation for the performance of their duties as provided in § 2.2-2813. All members of a legislative
 2896 entity shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties
 2897 as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance
 2898 at official meetings of a legislative entity shall be paid by the Office of the Clerk of the House of Delegates or
 2899 the Office of the Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from
 2900 existing appropriations to the legislative entity whose meeting the member attended, or, if such legislative
 2901 entity is unfunded, shall be approved by the Joint Rules Committee.

2902 B. Unless otherwise approved in writing by the chair of the legislative entity and the respective Clerk,
 2903 nonlegislative citizen members shall only be reimbursed for travel originating and ending within the
 2904 Commonwealth for the purpose of attending meetings.

2905 **§ 30.1-1104. Appointment and removal authority.**

2906 A. All appointments made to a legislative entity created on or after October 1, 2026, shall be made by
 2907 either the Speaker of the House of Delegates, the Senate Committee on Rules, or the Joint Rules Committee.

2908 B. Any nonlegislative citizen member appointed to any legislative entity by either the Speaker of the
 2909 House of Delegates, the Senate Committee on Rules, or the Joint Rules Committee shall serve at the pleasure
 2910 of such appointing authority. Any such nonlegislative citizen member may be relieved of his appointment at

2911 any time, with or without cause.

2912 **§ 30.1-1105. Absences on legislative entities.**

2913 The absence of any appointed nonlegislative citizen member from three consecutive regular meetings of
2914 any legislative entity unless on account of sickness shall be sufficient cause for the original appointing
2915 authority to declare the position vacated and to fill such vacancy.

2916 **§ 30.1-1106. Assistance provided by agencies of the Commonwealth.**

2917 A. Any legislative entity may request and shall receive from every department, division, board, bureau,
2918 commission, authority, or other agency created by the Commonwealth, or to which the Commonwealth is a
2919 party, or from any political subdivision of the Commonwealth, cooperation and assistance in the
2920 performance of its duties.

2921 B. Should a legislative entity determine at any point that information within a state agency is applicable
2922 to a study, investigation, or evaluation being conducted by such entity or standing committee, such entity or
2923 standing committee shall notify the head of such state agency. Following such notification, the agency head
2924 shall designate a point of contact for the entity or standing committee, who may then seek out all pertinent
2925 information within such agency from such point of contact. Each employee within the state agency shall give
2926 his full cooperation to the entity and its point of contact in collecting the information. No member or staff
2927 member of such entity shall be entitled to access information, without permission of the agency head, for
2928 which disclosure is prohibited by law.

2929 C. The legislative entities shall perform their collection duties and utilize the services of personnel within
2930 the agencies in doing so in such a manner as to minimize disruption of the normal operations of the agency.

2931 Such freedom to access all information within all state agencies is deemed absolutely necessary for the
2932 legislature to be able to efficiently evaluate laws and policies of the Commonwealth, how they are being
2933 administered, and the need for changes in such laws and policies, and also for the Virginia General Assembly
2934 to effectively fulfill its responsibility regarding legislative oversight.

2935 **§ 30.1-1107. Chair's executive summary of activity and work of legislative entities.**

2936 The chair of a legislative entity shall submit to the General Assembly and the Governor an annual
2937 executive summary of the interim activity and work of such legislative entity no later than December 1. The
2938 executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated
2939 Systems for the processing of legislative documents and reports and shall be posted on the General
2940 Assembly's website.

2941 Joint subcommittees, joint committees, and other legislative entities required or requested by law or
2942 resolution to conduct a study shall submit their reports no later than December 1 of the reporting year,
2943 unless otherwise specified.

2944 **§ 30.1-1108. Funding requirements.**

2945 If a legislative entity is not funded by a separate appropriation in the general appropriation act for its
2946 second year of existence, such legislative entity shall expire on July 1 of the fiscal year in which it fails to
2947 receive such funding.

2948 **CHAPTER 12.**
2949 **STANDING LEGISLATIVE ENTITIES.**
2950 **Article 1.**

2951 **Virginia State Crime Commission.**

2952 **§ 30.1-1200. Virginia State Crime Commission; purpose.**

2953 The Virginia State Crime Commission (the Commission) is established in the legislative branch of state
2954 government. The purpose of the Commission is to study, report, and make recommendations on all areas of
2955 public safety and protection. In so doing, the Commission shall endeavor to ascertain the causes of crime and
2956 recommend ways to reduce and prevent it, explore and recommend methods of rehabilitation of convicted
2957 criminals, study compensation of persons in law enforcement and related fields, and study other related
2958 matters, including the apprehension, trial, and punishment of criminal offenders. The Commission shall make
2959 such recommendations as it deems appropriate with respect to the foregoing matters and shall coordinate the
2960 proposals and recommendations of all commissions and agencies regarding legislation affecting crimes,
2961 crime control, and criminal procedure. The Commission shall cooperate with the executive branch of state
2962 government, the Attorney General's office, and the judiciary, who are in turn encouraged to cooperate with
2963 the Commission. The Commission shall cooperate with governments and governmental agencies of other
2964 states and the United States.

2965 **§ 30.1-1201. Membership; terms.**

2966 A. The Commission shall have a total membership of 13 members that shall include nine legislative
2967 members, three nonlegislative citizen members, and one ex officio member. Members shall be appointed as
2968 follows:

2969 1. Six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in
2970 accordance with the principles of proportional representation contained in the Rules of the House of
2971 Delegates;

2972 2. Three members of the Senate to be appointed by the Senate Committee on Rules; and

2973 3. Three nonlegislative citizen members to be appointed by the Governor.

2974 The Attorney General or his designee shall serve *ex officio*.

2975 B. All members may be reappointed for successive terms.

2976 **§ 30.1-1202. Powers and duties of the Commission.**

2977 A. The Commission shall have the following powers and duties:

2978 1. Maintain offices and hold meetings or functions at any place within the Commonwealth that it deems
2979 necessary;

2980 2. Conduct private and public hearings and designate a member of the Commission to preside over such
2981 hearings. Pursuant to a resolution adopted by a majority of the Commission, witnesses appearing before the
2982 Commission may be examined privately and the Commission shall not make public the particulars of such
2983 examination. The Commission shall not have the power to take testimony at private or public hearings unless
2984 at least three of its members are present at such hearings. Witnesses appearing before the Commission at its
2985 request shall be entitled to receive the same fees and mileage as persons summoned to testify in the courts of
2986 the Commonwealth, if such witnesses request such fees and mileage;

2987 3. Conduct studies and gather information and data in order to accomplish its purposes as set forth in
2988 § 30.1-1200, and in connection with the faithful execution and effective enforcement of the laws of the
2989 Commonwealth, including laws relating to organized crime and racketeering, and formulate its
2990 recommendations to the General Assembly and the Governor;

2991 4. Examine matters relating to law enforcement extending across the boundaries of the Commonwealth
2992 into other states, and consult and exchange information with officers and agencies of other states with
2993 respect to law-enforcement problems of mutual concern to the Commonwealth and other states; and

2994 5. Submit reports pursuant to § 30.1-1107.

2995 B. At the direction or request of the legislature by concurrent resolution or of the Governor, the
2996 Commission shall, or at the request of any department, board, bureau, commission, authority, or other
2997 agency created by the Commonwealth, or to which the Commonwealth is a party, the Commission may study
2998 the operations, management, jurisdiction, powers, and interrelationship of any such department, board,
2999 bureau, commission, authority, or other agency that has any direct responsibility for enforcing the criminal
3000 laws of the Commonwealth.

3001 **§ 30.1-1203. Staffing.**

3002 The Commission may appoint and employ and, at its pleasure, remove an executive director, counsel, and
3003 such other persons as it deems necessary to assist it in carrying out its duties as set forth in this article. The
3004 Commission may determine the duties of such staff and fix their salaries or compensation within the amounts
3005 appropriated in the general appropriation act.

3006 **§ 30.1-1204. Commission to refer cases of crime or official misconduct to appropriate authorities.**

3007 Whenever it appears to the Commission that there is reasonable cause for an official investigation or
3008 prosecution of a crime or for the removal of a public officer for misconduct, the Commission shall refer the
3009 matter and such information as has come to its attention to (i) the officials having the duty and authority to
3010 conduct investigations, prosecute criminal offenses, or remove such public officer or (ii) the judge of an
3011 appropriate court of record with recommendation that a special grand jury be convened.

3012 **§ 30.1-1205. Publication of information.**

3013 By such means and to such extent as it deems appropriate, the Commission shall keep the public informed
3014 as to the operations of organized crime, problems of criminal law enforcement in the Commonwealth, and
3015 other activities of the Commission.

3016 **§ 30.1-1206. Disclosure of certain information by employee; penalty.**

3017 Any employee of the Commission who, except as directed by the Governor, a court of record, or the
3018 Commission, discloses to any person other than the Commission or an officer having the power to appoint
3019 one or more of the members of the Commission (i) the name of any witness appearing before the Commission
3020 in a private hearing or (ii) any information obtained or given in a private hearing is guilty of a Class 1
3021 misdemeanor.

3022 **§ 30.1-1207. Impounding of certain documents.**

3023 Upon the application of the Commission or a duly authorized member of its staff, the judge of any court of
3024 record may impound any exhibit or document received or obtained in any public or private hearing held in
3025 connection with a hearing conducted by the Commission and may order such exhibit to be retained by, or
3026 delivered to and placed in custody of, the Commission. The order may be rescinded by further order of the
3027 court made after five days' notice to the Commission or upon its application or with its consent, all in the
3028 discretion of the court.

3029 **§ 30.1-1208. Construction of article.**

3030 Nothing contained in this article shall be construed to supersede, repeal, or limit any power, duty, or
3031 function of the Governor or any department or agency of the Commonwealth, or any political subdivision
3032 thereof, as prescribed or defined by law.

3035 § 30.1-1209. Chesapeake Bay Commission created.

3036 The Chesapeake Bay Commission, hereinafter designated as "Commission," is hereby created as a tristate
3037 legislative commission.

3038 § 30.1-1210. Members.

3039 The Commission shall consist of 21 members, seven from Virginia, seven from Maryland and seven from
3040 Pennsylvania. In each state, five of the members shall be members of the General Assembly. In Virginia, two
3041 Senators appointed by the Senate Committee on Rules and three Delegates appointed by the Speaker of the
3042 House of Delegates shall serve as members. The Governor of Virginia or his designee shall serve as a
3043 member. In addition, the Senate Committee on Rules and the Speaker of the House of Delegates shall jointly
3044 appoint one Virginia member who is not a legislator or an employee of the executive branch. In Maryland,
3045 two senators designated by the President of the Senate and three delegates designated by the Speaker of the
3046 House of Delegates shall serve as members. The Governor of Maryland or his designee shall serve as a
3047 member. In addition, the President of the Senate and the Speaker of the House of Delegates shall jointly
3048 select one Maryland member who is not a legislator or an employee of the executive branch. In Pennsylvania,
3049 two senators designated by the President pro tempore of the Senate and three representatives designated by
3050 the Speaker of the House of Representatives shall serve as members. The Governor of Pennsylvania or his
3051 designee shall serve as a member. In addition, the President pro tempore of the Senate shall select one
3052 Pennsylvania member who is not a legislator or an employee of the executive branch.

3053 § 30.1-1211. Terms.

3054 Legislators serving as members of the Commission shall serve terms coterminous with their current terms
3055 of office. The nonlegislative members shall serve at the pleasure of their respective appointing authorities for
3056 a term of not more than four years. Nonlegislative members may be reappointed at the end of the four-year
3057 term.

3058 § 30.1-1212. Compensation and expenses; generally.

3059 The Commission members shall serve without compensation from the Commission but may be reimbursed
3060 by the Commission for necessary expenses incurred in and incident to the performance of their duties. In
3061 addition, Commission members from each state may receive from their respective states, any other
3062 compensation to which they may be entitled under the laws of the respective states.

3063 § 30.1-1213. Compensation and expenses; Virginia delegation.

3064 The legislative representatives of Virginia to the Commission shall receive such compensation as
3065 provided in § 30.1-109 and the nonlegislative citizen representatives of Virginia shall receive such
3066 compensation as provided in § 2.2-2813 for their services. All members shall be entitled to reimbursement for
3067 all reasonable and necessary expenses incurred in their performance of their duties as provided in
3068 §§ 2.2-2813 and 2.2-2825. The funding for the costs of compensation and expenses of the members shall be
3069 provided from existing appropriations to the Commission for such purpose.

3070 § 30.1-1214. Meetings and voting.

3071 Commission meetings shall be held at least once each quarter, and at such other times as the Commission
3072 may determine. In order to constitute a quorum for the transaction of any business, at least 11 Commission
3073 members, including at least three Commission members from each state, must be present. Approval of
3074 proposed action shall require the majority vote of the Commission members present.

**3075 § 30.1-1215. Organization, internal procedures and delegation of powers; officers and employees as
3076 state employees.**

3077 A. The Commission members shall serve as the governing body of the Commission, and, except as
3078 hereinafter provided, shall exercise and discharge all powers, functions and responsibilities assigned to the
3079 Commission. The Commission shall provide for the organization of internal procedures of the Commission
3080 and to this end shall adopt suitable bylaws. The Commission shall have a chairman and two vice-chairmen,
3081 chosen by the respective delegation, whose offices shall rotate annually among the signatory states and may
3082 at no time be held by members from the same signatory. The Commission may maintain one or more offices
3083 for the transaction of its business. The Commission may, without regard to the civil service or the laws of any
3084 signatory relative to public officers and employees, create and abolish offices, employments and positions as
3085 it deems necessary for the purposes of the Commission, affix and provide for the duties, conditions of
3086 employment, qualifications, appointment, removal, term, compensation, and other rights and benefits of the
3087 Commission's officers and employees, and shall appoint the principal officers of the Commission and allocate
3088 among them administrative functions, powers, and duties. The Commission may delegate to the officers and
3089 employees of the Commission any powers, functions and responsibilities under this agreement as it deems
3090 suitable, except that it may not delegate its power to make recommendations to the respective legislatures, to
3091 issue reports or to adopt the annual expense budget.

3092 B. Every full-time officer or employee of the Commission on a salary basis shall be eligible for pension
3093 and health and related insurance offered to employees of one of the member states, provided that such officer
3094 or employee so elects within 30 days of commencing employment; and provided that the Commission
3095 allocates funds in its budget for the employer share of these benefits.

3096 § 30.1-1216. Purposes.

3097 The purposes of the signatories in enacting this Agreement are to assist the legislatures of Virginia,
 3098 Maryland, and Pennsylvania in evaluating and responding to problems of mutual concern relating to the
 3099 Chesapeake Bay; to promote intergovernmental cooperation; to encourage cooperative coordinated resource
 3100 planning and action by the signatories and their agencies; to provide, where appropriate, through
 3101 recommendation to the respective legislature, uniformity of legislative application; to preserve and enhance
 3102 the functions, powers and duties of existing offices and agencies of government; and to recommend
 3103 improvements in the existing management system for the benefit of the present and future inhabitants of the
 3104 Chesapeake Bay region.

3105 **§ 30.1-1217. Powers.**

3106 In pursuit of the purposes and duties set forth in this article, the Commission may exercise the following
 3107 powers:

- 3108 1. Collect, compile, analyze, interpret, coordinate, tabulate, summarize, and distribute technical and other
 3109 data relative to the Chesapeake Bay and its environs. It may conduct or contract for studies, except those for
 3110 primary scientific research, and may prepare reports on existing or potential problems within the Bay
 3111 region;
- 3112 2. Prepare, publish and disseminate information in reports related to the resources of the region;
- 3113 3. Serve as an advisory board to any requesting agency of the member states on matters of interstate
 3114 concern;
- 3115 4. Make application for grants, services or other aids as may be available from public or private sources
 3116 to finance or assist in effectuating any purposes of this Agreement; and receive and accept the same on such
 3117 terms and conditions as may be required by the law of the respective signatory states;
- 3118 5. Purchase administrative supplies and lease sufficient office space if such space is not otherwise made
 3119 available for its use; and
- 3120 6. Exercise such other powers as are granted by this Agreement and take such actions as are necessary or
 3121 appropriate for performing the duties set forth in this Agreement.

3122 **§ 30.1-1218. Duties.**

3123 In carrying out the purposes set forth in this article, the Commission shall have the following duties:

- 3124 1. Identify specific Bay management concerns requiring intergovernmental coordination and cooperation;
 3125 and recommend to the federal, state and local governments that are involved in the Chesapeake Bay region
 3126 legislative and administrative actions necessary to effectuate coordinated and cooperative management for
 3127 the Bay;
- 3128 2. Consider, in administering the provisions of this Agreement, the needs of the region for industrial and
 3129 agricultural development and for gainful employment and maintenance of a high-quality environment;
- 3130 3. Respect and support the primary role of the respective signatory states and their administrative
 3131 agencies in managing the resources of the region;
- 3132 4. Collect, analyze and disseminate information pertaining to the region and its resources for the
 3133 respective legislative bodies. The Commission shall prepare an annual report indicating the status of
 3134 environmental and economic Bay issues involving the Chesapeake Bay and the progress of coordinative
 3135 efforts by the member states;
- 3136 5. Represent common interests of the signatories as they are affected by the activities of the federal
 3137 government and shall assist in the monitoring of those activities in the Chesapeake Bay region; and
- 3138 6. Provide, as may be determined, a forum to serve as an advisory mediator for programmatic conflicts
 3139 between or among the member states when such action is requested by the conflicting member states.

3140 **§ 30.1-1219. Annual budget.**

3141 The Commission shall annually adopt a budget, which shall include the Commission's estimated expenses
 3142 for administration and operation. In establishing the annual current expense budget, the Commission shall
 3143 balance total expenses against the Commission's estimate of revenues from all sources, either previously
 3144 appropriated by a signatory state or receivable from any person or governmental agency by contract or
 3145 grant with that person or governmental agency. The chairman of the Commission shall certify to the
 3146 respective signatories, and submit to persons in other governmental agencies, statements of the amounts
 3147 requested from them in accordance with existing cost-sharing established by this Agreement or by the
 3148 parties. The chairman of the Commission shall transmit certified copies of such budgets to the principal
 3149 budget officer of the respective signatory parties at such time and in such manner as may be required under
 3150 their respective budgetary procedures.

3151 **§ 30.1-1220. Apportionment of cost.**

3152 The amount required for the Commission's current expense budget shall be apportioned equally among
 3153 the signatory parties unless a different apportionment is agreed to by unanimous vote of the Commission.

3154 **§ 30.1-1221. Modification.**

3155 This Agreement shall not be amended or modified except with the concurrence of the legislatures of the
 3156 Commonwealth of Virginia, the state of Maryland, and the Commonwealth of Pennsylvania. Amendments
 3157 shall not become effective until adopted in the same manner as the original Agreement.

3158 **§ 30.1-1222. Term.**

3159 The duration of this Agreement among the Commonwealth of Virginia, the state of Maryland, and the
3160 Commonwealth of Pennsylvania shall be for an initial period of 10 years from its effective date, and it shall
3161 be continued for additional periods of 10 years unless one or more of the signatory states, by authority of an
3162 act of its legislature, notifies the Commission of intention to terminate the Agreement at the end of the current
3163 10-year term. However, any signatory, by act of its legislature, can withdraw from the Agreement at the end
3164 of any calendar year or fiscal year.

§ 30.1-1223. *Dissolution.*

3166 *In the event that this Agreement shall be terminated by operation of § 30.1-1222, the Commission shall be*
3167 *dissolved, its assets and liabilities transferred, and its corporate affairs wound up in accordance with the*
3168 *unanimous agreement of its signatories, or failing unanimous agreement, in such manner that the assets and*
3169 *liabilities of the Commission shall be shared by the respective states.*

§ 30.1-1224. Governor to execute agreement.

3171 *The Governor of the Commonwealth of Virginia is authorized and directed to: (i) execute and deliver, on
3172 behalf of the Commonwealth, all agreements and modifications of agreements that relate to the Chesapeake
3173 Bay Commission; and (ii) take those actions that may be necessary to effectuate the Agreement.*

Article 3.

Article 3. *Virginia Commission on Youth.*

Virginia Commissio
§ 30.1-1225. Virginia Commission on Youth; purpose.

3177 The Virginia Commission on Youth (the Commission) is established in the legislative branch of state
3178 government. The purpose of the Commission is to study and provide recommendations addressing the needs
3179 of and services to the Commonwealth's youth and their families. The Commission shall encourage the
3180 development of uniform policies and services to youth across the Commonwealth and provide a forum for
3181 continuing review and study of such services. In addition to its own proposals, the Commission shall
3182 coordinate the proposals and recommendations of all commissions and agencies as to legislation affecting
3183 youth.

§ 30.1-1226. Membership; terms.

**3185 A. The Commission shall have a total membership of 12 members that shall include nine legislative
3186 members and three nonlegislative citizen members. Members shall be appointed as follows:**

3187 1. Six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in
3188 accordance with the principles of proportional representation contained in the Rules of the House of
3189 Delegates;

2. Three members of the Senate to be appointed by the Senate Committee on Rules; and

3. *Three nonlegislative citizen members to be appointed by the Governor.*

3192 B. Nonlegislative citizen members shall serve four-year terms. Members may be reappointed for
3193 successive terms.

§ 30.1-1227. Powers and duties of the Commission.

3195 *The Commission shall have the following powers and duties:*

3196 *1. Undertake studies and gather information and data in order to accomplish its purposes as set forth in*
3197 *§ 30.1-1225 and formulate and report its recommendations to the General Assembly and the Governor;*

3198 2. At the direction or request of the legislature by concurrent resolution or of the Governor, or at the
3199 request of any department, board, bureau, commission, authority, or other agency created by the
3200 Commonwealth or to which the Commonwealth is a party, study the operations, management, jurisdiction, or
3201 powers of any such department, board, bureau, commission, authority, or other agency that has
3202 responsibility for services to youth; and

3. Submit reports pursuant to § 30.1-1107.

§ 30.1-1228. Staffing.

3205 *The Commission may appoint and employ and, at its pleasure, remove an executive director and such*
3206 *other persons as it deems necessary to assist it in carrying out its duties as set forth in this article. The*
3207 *Commission may determine the duties of such staff and fix their salaries or compensation within the amounts*
3208 *appropriated to the Commission in the general appropriation act.*

Article 4.

Joint Commission on Health Care.

§ 30.1-1229. Joint Commission on Health Care; purpose.

3212 The Joint Commission on Health Care (the Commission) is established in the legislative branch of state
3213 government. The purpose of the Commission is to study, report, and make recommendations on all areas of
3214 health care provision, regulation, insurance, liability, licensing, and delivery of services. The Commission
3215 shall endeavor to ensure that the Commonwealth as provider, financier, and regulator adopts the most cost-
3216 effective and efficacious means of delivery of health care services so that the greatest number of residents of
3217 the Commonwealth receive quality health care. The Commission shall also encourage the development of
3218 uniform policies and services to ensure the availability of quality, affordable, and accessible health services
3219 and provide a forum for continuing the review and study of programs and services.

§ 30.1-1230. Membership.

3221 The Commission shall have a total membership of 18 legislative members. Members shall be appointed as
 3222 follows:

3223 1. Ten members of the House of Delegates, of whom three shall be members of the House Committee on
 3224 Health and Human Services, to be appointed by the Speaker of the House of Delegates in accordance with
 3225 the principles of proportional representation contained in the Rules of the House of Delegates; and
 3226 2. Eight members of the Senate to be appointed by the Senate Committee on Rules.

3227 **§ 30.1-1231. Powers and duties of the Commission.**

3228 A. The Commission shall have the following powers and duties:

3229 1. Study and gather information and data to accomplish its purposes as set forth in § 30.1-1229;
 3230 2. Study the operations, management, jurisdiction, powers, and interrelationships of any department,
 3231 board, bureau, commission, authority, or other agency with any direct responsibility for the provision and
 3232 delivery of health care in the Commonwealth;

3233 3. Assess, analyze, and evaluate the social and economic costs and benefits, and other relevant issues, of
 3234 any proposed mandated health insurance benefit or mandated provider that is not included in the essential
 3235 health benefits required by federal law to be provided under a health care plan and report its findings with
 3236 respect to the proposed mandate to the Health Insurance Reform Commission established in Article 7
 3237 (§ 30.1-1429 et seq.) of Chapter 14;

3238 4. Examine matters relating to health care services in other states and consult and exchange information
 3239 with officers and agencies of other states with respect to health service problems of mutual concern;

3240 5. Maintain offices and hold meetings and functions at any place within the Commonwealth that it deems
 3241 necessary;

3242 6. Invite other interested parties to sit with the Commission and participate in its deliberations;

3243 7. Report its recommendations to the General Assembly and the Governor annually and make such
 3244 interim reports as it deems advisable or as may be required by the General Assembly and the Governor; and

3245 8. Submit reports pursuant to § 30.1-1107.

3246 B. The Commission may make recommendations and coordinate the proposals and recommendations of
 3247 all commissions and agencies as to legislation affecting the provision and delivery of health care.

3248 **§ 30.1-1232. Staffing.**

3249 The Commission may appoint and employ and, at its pleasure, remove an executive director and such
 3250 other persons as it deems necessary to assist it in carrying out its duties. The Commission may determine the
 3251 duties of such staff and fix their salaries or compensation within the amounts appropriated to the
 3252 Commission in the general appropriation act. The Commission may also employ experts who have special
 3253 knowledge of the issues before it.

3254 Article 5.

3255 Joint Commission on Technology and Science.

3256 **§ 30.1-1233. Joint Commission on Technology and Science; purpose.**

3257 The Joint Commission on Technology and Science (JCOTS) is established in the legislative branch of
 3258 state government. The purpose of JCOTS is to study all aspects of technology and science and endeavor to
 3259 stimulate, encourage, promote, and assist in the development of technology and science in the
 3260 Commonwealth and sound public policies related thereto.

3261 **§ 30.1-1234. Membership; quorum; chair and vice-chair.**

3262 A. JCOTS shall have a total membership of 12 legislative members. Members shall be appointed as
 3263 follows:

3264 1. Seven members of the House of Delegates to be appointed by the Speaker of the House of Delegates in
 3265 accordance with the principles of proportional representation contained in the Rules of the House of
 3266 Delegates; and

3267 2. Five members of the Senate to be appointed by the Senate Committee on Rules.

3268 B. Five members of JCOTS shall constitute a quorum. At the first meeting following the adjournment sine
 3269 die of the Regular Session in an even-numbered year, JCOTS shall elect a chair and vice-chair from among
 3270 its membership. A vacancy in either office shall be filled for the unexpired term in the same manner.

3271 **§ 30.1-1235. Powers and duties of JCOTS.**

3272 JCOTS shall have the following powers and duties:

3273 1. Evaluate the impact of existing statutes and proposed legislation related to technology and science in
 3274 the Commonwealth;

3275 2. Advise the General Assembly, the Governor, and agencies, authorities, and institutions of the
 3276 Commonwealth upon matters related to technology and science;

3277 3. Investigate, research, and consider such issues related to technology and science as may be requested
 3278 by the General Assembly or determined by JCOTS;

3279 4. Make recommendations to the General Assembly and the Governor related to technology and science
 3280 in the Commonwealth;

3281 5. Consult with appropriate entities, public or private, on matters related to technology and science under
 3282 JCOTS's consideration;

3283 6. Encourage research and development in technology and science;
3284 7. Solicit input from appropriate entities, public or private, on issues related to technology and science;
3285 8. Coordinate its efforts with and assist the efforts of other agencies, authorities, and institutions of the
3286 Commonwealth;
3287 9. Accept public or private funds to carry out its purposes; and
3288 10. Submit reports pursuant to § 30.1-1107. JCOTS shall make such further interim reports to the
3289 General Assembly and the Governor as it deems advisable or as required by concurrent resolution of the
3290 General Assembly or by the Governor.

3291 **§ 30.1-1236. Staffing.**

3292 JCOTS may appoint and employ and, at its pleasure, remove an executive director and such other persons
3293 as it deems necessary to assist it in carrying out its duties as set forth in this article. JCOTS may determine
3294 the duties of such staff and fix their salaries or compensation within the amounts appropriated to JCOTS in
3295 the general appropriation act.

3296 **§ 30.1-1237. Advisory committees.**

3297 JCOTS may establish advisory committees composed of persons with expertise in the matters under
3298 consideration by JCOTS. Such persons shall serve without compensation but shall be reimbursed from funds
3299 appropriated or otherwise available to JCOTS for reasonable and necessary expenses incurred in the
3300 performance of their duties as provided in §§ 2.2-2813 and 2.2-2825, unless they waive reimbursement.

3301 **Article 6.**

3302 **Virginia Freedom of Information Advisory Council.**

3303 **§ 30.1-1238. Virginia Freedom of Information Advisory Council; purpose.**

3304 The Virginia Freedom of Information Advisory Council (the Council) is established in the legislative
3305 branch of state government. The purpose of the Council is to encourage and facilitate compliance with the
3306 Virginia Freedom of Information Act (§ 2.2-3700 et seq.) (the Act).

3307 **§ 30.1-1239. Membership; terms; chair and vice-chair; vacancies.**

3308 A. The Council shall have a total membership of 14 members that shall include four legislative members,
3309 seven nonlegislative citizen members, and three ex officio members. Members shall be appointed as follows:

3310 1. Two members of the House of Delegates to be appointed by the Speaker of the House of Delegates;

3311 2. Two members of the Senate to be appointed by the Senate Committee on Rules;

3312 3. Three nonlegislative citizen members, of whom at least one shall be or have been a representative of
3313 the news media, to be appointed by the Speaker of the House of Delegates;

3314 4. Two nonlegislative citizen members, of whom one shall be or have been an officer of local government
3315 and one shall be an at-large member, to be appointed by the Senate Committee on Rules. The local
3316 government representative may be selected from a list recommended by the Virginia Association of Counties
3317 and the Virginia Municipal League, after due consideration of such list by the Senate Committee on Rules;
3318 and

3319 5. Two nonlegislative citizen members to be appointed by the Governor, one of whom shall not be a state
3320 employee.

3321 The Attorney General and the Librarian of Virginia or their designees shall serve ex officio. The Director
3322 of the Division of Legislative Services or his designee shall serve ex officio with nonvoting privileges.

3323 B. The nonlegislative citizen members may be selected from a list recommended by the Virginia Press
3324 Association, the Virginia Association of Broadcasters, and the Virginia Coalition for Open Government, after
3325 due consideration of such list by the appointing authorities. Appointments of nonlegislative citizen members
3326 shall be for terms of four years. No nonlegislative citizen member shall serve for more than two successive
3327 four-year terms. At the end of a term, a nonlegislative citizen member shall continue to serve until a
3328 successor is appointed. However, after the expiration of the remainder of a term to which appointed to fill a
3329 vacancy, two additional terms may be served by such member. Legislative members may be reappointed for
3330 successive terms.

3331 C. The chair and vice-chair shall serve terms of two years and may not succeed themselves to the same
3332 position.

3333 **§ 30.1-1240. Meetings; attendance of nonlegislative citizen members; compensation.**

3334 The Council shall hold meetings quarterly or upon the call of the chair. Notwithstanding the provisions of
3335 § 30.1-1239, if any nonlegislative citizen member of the Council fails to attend a majority of meetings of the
3336 Council in a calendar year, the Council shall notify the member's appointing authority. Upon receipt of such
3337 notification, the appointing authority may remove the member and appoint a successor as soon as
3338 practicable. Members of the Council shall receive no compensation for their services but shall be reimbursed
3339 for reasonable and necessary expenses pursuant to § 30.1-1103.

3340 **§ 30.1-1241. Powers and duties of the Council.**

3341 The Council shall have the following powers and duties:

3342 1. Furnish, upon request, advisory opinions or guidelines and other appropriate information regarding
3343 the Act to any person or public body in an expeditious manner;

3344 2. Conduct training seminars and educational programs for the members and staff of public bodies and

3345 other interested persons on the requirements of the Act;

3346 3. Publish such educational materials as it deems appropriate on the provisions of the Act;

3347 4. Request from any public body such assistance, services, and information as will enable the Council to

3348 effectively carry out its responsibilities. Information provided to the Council by a public body shall not be

3349 released to any other party unless authorized by such public body;

3350 5. Assist in the development and implementation of the provisions of § 2.2-3704.1;

3351 6. Develop an online public comment form to be posted on the Council's official public government

3352 website, as defined in § 2.2-3701, to enable any requester to comment on the quality of assistance provided to

3353 the requester by a public body; and

3354 7. Report annually on its activities and findings regarding the Act, including recommendations for

3355 legislation, to the General Assembly and the Governor. The annual report shall be published according to the

3356 provisions of § 30.1-1107.

3357 **§ 30.1-1242. Staffing.**

3358 The Division of Legislative Services shall provide staff support. Staff shall perform the duties assigned to

3359 it by the Council.

INTRODUCED

HB932

3360 Article 7.

3361 Commission on Electric Utility Regulation.

3362 **§ 30.1-1243. Definitions.**

3363 As used in this article, unless the context requires a different meaning:

3364 "Commission" means the Commission on Electric Utility Regulation.

3365 "Ratepayer" means a residential, commercial, or industrial customer who is billed for the consumption of

3366 electricity by an electric utility in the Commonwealth.

3367 "Ratepayer impact statement" means a statement prepared using data or other relevant information to

3368 estimate the potential impact on ratepayers' electric bills of proposed legislation related to electric utilities.

3369 **§ 30.1-1244. (Expires July 1, 2029) Commission on Electric Utility Regulation; purpose.**

3370 The Commission on Electric Utility Regulation is established in the legislative branch of state

3371 government. The purpose of the Commission is to monitor the State Corporation Commission's

3372 implementation of the Virginia Electric Utility Regulation Act (§ 56-576 et seq.).

3373 **§ 30.1-1245. (Expires July 1, 2029) Membership.**

3374 A. The Commission shall have a total membership of 14 members that shall include 10 legislative

3375 members, three nonlegislative citizen members, and one ex officio member. Members shall be appointed as

3376 follows:

3377 1. Six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in

3378 accordance with the principles of proportional representation contained in the Rules of the House of

3379 Delegates;

3380 2. Four members of the Senate to be appointed by the Senate Committee on Rules that consist of three

3381 members from the majority party and one member from the minority party or an equal number from each in

3382 the event the chamber is evenly divided;

3383 3. One nonlegislative citizen member with expertise in energy affordability and ratepayer advocacy to be

3384 appointed by the Speaker of the House of Delegates;

3385 4. One nonlegislative citizen member with expertise in economic development and ratepayer advocacy to

3386 be appointed by the Senate Committee on Rules; and

3387 5. One nonlegislative citizen member with expertise in public utility regulation and ratepayer advocacy to

3388 be appointed by the Governor.

3389 The Attorney General or his designee shall serve ex officio. Any such designee shall be an attorney

3390 employed within the Department of Law's Consumer Protection Unit.

3391 B. The Commission shall meet at least twice per year.

3392 C. Each member of the Commission shall annually complete an orientation on electric utility regulation

3393 provided by the State Corporation Commission.

3394 D. The chair of the Commission is authorized to designate one or more members of the Commission to

3395 observe and participate in the discussions of any work group convened by the State Corporation Commission

3396 in furtherance of its duties under the Virginia Electric Utility Regulation Act (§ 56-576 et seq.) and this

3397 article. Members participating in such discussions are entitled to compensation and reimbursement as

3398 provided in § 30.1-1103, if approved by the Joint Rules Committee or its Budget Oversight Subcommittee.

3399 **§ 30.1-1246. (Expires July 1, 2029) Powers and duties of the Commission.**

3400 The Commission shall have the following powers and duties:

3401 1. Monitor the work of the State Corporation Commission in implementing the Virginia Electric Utility

3402 Regulation Act (§ 56-576 et seq.). The Commission shall receive an annual report from the State Corporation

3403 Commission by November 1 regarding such implementation and shall receive such other reports as the State

3404 Corporation Commission may be required to make, including reviews, analyses, and impact on consumers of

3405 electric utility regulation in other states;

3406 2. Examine generation, transmission, and distribution systems reliability concerns;

3407 3. Establish one or more subcommittees, composed of its membership, persons with expertise in the
3408 matters under consideration by the Commission, or both, to meet at the direction of the chair of the
3409 Commission, for any purpose within the scope of the duties prescribed to the Commission by this section,
3410 provided that such persons who are not members of the Commission shall serve without compensation but
3411 shall be entitled to be reimbursed from funds appropriated or otherwise available to the Commission for
3412 reasonable and necessary expenses incurred in the performance of their duties;

3413 *4. Monitor applications by the Commonwealth for grants and awards for energy projects from the federal*
3414 *government;*

3415 5. Consider legislation referred to it during any session of the General Assembly or other requests by
3416 members of the General Assembly;

3417 *6. Conduct studies and gather information and data in order to accomplish its purposes set forth in*
3418 *§ 30.1-1244 and in connection with the faithful execution of the laws of the Commonwealth;*

3419 7. Issue ratepayer impact statements pursuant to § 30.1-1247;

3420 8. Report annually to the General Assembly and the Governor with such recommendations as may be
3421 appropriate for legislative and administrative consideration in order to maintain reliable service in the
3422 Commonwealth while preserving the Commonwealth's position as a low-cost electricity market; and

3423 9. *Submit reports pursuant to 30.1-1107.*

3424 § 30.1-1247. (Expires July 1, 2029) Ratepayer impact statements for electric utility regulation.

3425 A. Upon request of the Chairs of the House Committee on Labor and Commerce or the Senate Committee
3426 on Commerce and Labor, the Commission shall prepare a ratepayer impact statement for any proposed
3427 legislation related to electric utility regulation specified by such Chair. Each such Chair may request up to
3428 five ratepayer impact statements in any given regular or special session of the General Assembly.
3429 Additionally, the Commission may, upon the request of any other member of the General Assembly, prepare a
3430 ratepayer impact statement for any proposed legislation related to electric utility regulation specified by such
3431 member.

3432 *B. The Commission shall provide any such ratepayer impact statement to the requesting Chair or*
3433 *member, the patron of the legislation, and the members of any committee considering the legislation.*

3434 C. The State Corporation Commission, the Office of the Attorney General, and all agencies of the
3435 Commonwealth shall, upon request of the Commission, expeditiously provide the Commission with assistance
3436 in the preparation of any ratepayer impact statement, including providing the Commission with any
3437 necessary data or other relevant information.

3438 D. The Commission shall ensure that any ratepayer impact statement provides a neutral and accurate
3439 analysis of the potential impact on ratepayers' electric bills of the proposed legislation. Any ratepayer impact
3440 statement shall include the methodology used by the Commission to prepare such ratepayer impact statement.

3441 § 30.1-1248. (Expires July 1, 2029) Staffing.

The Commission may appoint and employ and, at its pleasure, remove an executive director and such other persons as it deems necessary to assist it in carrying out its duties. The Commission may determine the duties of such staff and fix their salaries or compensation within the amounts appropriated to the Commission in the general appropriation act. The Commission may also employ experts who have knowledge of the issues before it.

3447 *§ 30.1-1249. (Expires July 1, 2029) Sunset.*

3448 *This article shall expire on July 1, 2029.*

3449 Article 8. *Wissenschaftliche Beiträge*

3450 Virginia Housing
3451 § 30.1-1250. Virginia Housing Commission; powers

3451 § 30.1-1250. Virginia Housing Commission; purpose.
3452 The Virginia Housing Commission (the Commission) is established in the legislative branch of state
3453 government. The purpose of the Commission is to study and provide recommendations to ensure and foster
3454 the availability of safe, sound, and affordable housing for every resident of the Commonwealth. The
3455 Commission may also study and make recommendations relating to such other housing, real property, and
3456 community development issues as it may be called upon to consider or as may be desirable.

3457 § 30.1-1251. Membership; terms; chair and vice-chair.

3458 A. The Commission shall have a total membership of 11 members that shall include eight legislative
3459 members and three nonlegislative citizen members. Members shall be appointed as follows:

3460 1. Five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in
3461 accordance with the principles of proportional representation contained in the Rules of the House of
3462 Delegates;

3463 2. *Three members of the Senate to be appointed by the Senate Committee on Rules; and*

3464 3. Three nonlegislative citizen members to be appointed by the Governor.

3465 *B. Nonlegislative citizen members shall be appointed for a term of four years.*

3466 C. The Commission shall elect a chair and vice-chair every two years.
3467 ~~§ 20-1-1252. Powers and duties of the Commission.~~

3467 *§ 30.1-1252. Powers and duties of the Commission.*
3468 *The Commission shall have the following powers and duties:*

3468 *The Commission shall have the following powers and duties:*

3469 1. Undertake studies, gather information and data, and pursue such other activities as may be desirable to
3470 accomplish its purposes as set forth in § 30.1-1250;

3471 2. Review newly enacted federal legislation pertaining to mortgage lending and brokering and determine
3472 if such federal legislation necessitates amendments to the laws of the Commonwealth; and

3473 3. Submit reports pursuant to § 30.1-1107. Such reports shall include a discussion of studies made and
3474 recommendations for administrative or legislative action.

3475 § 30.1-1253. *Staffing.*
3476 The Commission may appoint and employ and, at its pleasure, remove an executive director and such
3477 other persons as it deems necessary to assist it in carrying out its duties as set forth in this article. The
3478 Commission may determine the duties of such staff and fix their salaries or compensation within the amounts
3479 as may be appropriated to the Commission in the general appropriation act.

§ 30.1-1253. Staffing.

3476 *The Commission may appoint and employ and, at its pleasure, remove an executive director and such*
3477 *other persons as it deems necessary to assist it in carrying out its duties as set forth in this article. The*
3478 *Commission may determine the duties of such staff and fix their salaries or compensation within the amounts*
3479 *as may be appropriated to the Commission in the general appropriation act.*

Article 9.

Virginia Conflict of Interest and Ethics Advisory Council.

§ 30.1-1254. Virginia Conflict of Interest and Ethics Advisory Council; purpose.

3483 The Virginia Conflict of Interest and Ethics Advisory Council (the Council) is established in the
3484 legislative branch of state government. The purpose of the Council is to encourage and facilitate compliance
3485 with the State and Local Government Conflict of Interests Act (§ 2.2-3100 et seq.) and the General Assembly
3486 Conflict of Interests Act (§ 30.1-200 et seq.) (the Acts) and the lobbying laws in Article 3 (§ 2.2-418 et seq.)
3487 of Chapter 4 of Title 2.2.

§ 30.1-1255. Membership; terms; chair and vice-chair; expenses.

3489 A. The Council shall have a total membership of nine members that shall include four legislative members
3490 and five nonlegislative citizen members. Members shall be appointed as follows:

1. Two members of the House of Delegates to be appointed by the Speaker of the House of Delegates;
2. Two members of the Senate to be appointed by the Senate Committee on Rules;
3. One former judge of a court of record to be appointed by the Speaker of the House of Delegates;
4. One former judge of a court of record to be appointed by the Senate Committee on Rules; and
5. Three nonlegislative citizen members to be appointed by the Governor, of whom one shall be a current
or former executive branch employee, one shall be appointed from a list of three nominees submitted by the
Virginia Association of Counties, and one shall be appointed from a list of three nominees submitted by the
Virginia Municipal League.

**3499 B. In the appointment to the Council of members of the House of Delegates and the Senate, equal
3500 representation shall be given to each of the political parties having the highest and next highest number of
3501 members elected to their respective body. All members of the Council are subject to confirmation by the
3502 General Assembly by a majority vote in each house of (i) the members present of the majority party and (ii)
3503 the members present of the minority party.**

**3504 C. Appointments of nonlegislative citizen members shall be for terms of four years. No nonlegislative
3505 citizen member shall serve for more than two successive four-year terms. However, after the expiration of the
3506 remainder of a term to which appointed to fill a vacancy, two additional terms may be served by such
3507 member. Legislative members may be reappointed for successive terms.**

3508 D. The chair and vice-chair shall serve terms of two years and may not succeed themselves to the same
3509 position.

3510 E. Members of the Council shall receive no compensation for their services but shall be reimbursed for
3511 reasonable and necessary expenses pursuant to § 30.1-1103.

§ 30.1-1256. Powers and duties of the Council.

3513 *The Council shall have the following powers and duties:*

1. Prescribe the forms required for complying with the disclosure requirements of Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2 and the Acts. These forms shall be the only forms used to comply with the provisions of Article 3 or the Acts. The Council shall make available the disclosure forms and shall provide guidance and other instructions to assist in the completion of the forms;

2. Review all disclosure forms filed by lobbyists pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2 and by state government officers and employees and legislators pursuant to the Acts. The Council may review disclosure forms for completeness, including reviewing the information contained on the face of the form to determine if the disclosure form has been fully completed and comparing the disclosures contained in any disclosure form filed by a lobbyist pursuant to § 2.2-426 with other disclosure forms filed with the Council, and requesting any amendments to ensure the completeness of and correction of errors in the forms, if necessary. If a disclosure form is found to have not been filed or to have been incomplete as filed, the Council shall notify the filer in writing and direct the filer to file a completed disclosure form within a prescribed period of time, and such notification shall be confidential and is excluded from the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.);

3. Require all disclosure forms and lobbyist registration statements that are required to be filed with the Council to be filed electronically in accordance with the standards approved by the Council. The Council shall provide software or electronic access for filing the required disclosure forms and registration

3531 statements without charge to all individuals required to file with the Council. The Council shall prescribe the
3532 method of execution and certification of electronically filed forms, including the use of an electronic
3533 signature as authorized by the Uniform Electronic Transactions Act (§ 59.1-479 et seq.). The Council may
3534 grant extensions as provided in § 30.1-1258 and may authorize a designee to grant such extensions;

3535 4. Accept and review any statement received from a filer disputing the receipt by such filer of a gift that
3536 has been disclosed on the form filed by a lobbyist pursuant to Article 3 (§ 2.2-418 et seq.) of Chapter 4 of
3537 Title 2.2;

3538 5. Establish and maintain a searchable electronic database comprising those disclosure forms that are
3539 filed with the Council pursuant to §§ 2.2-426, 2.2-3117, 2.2-3118, and 30.1-214. Such database shall be
3540 available to the public through the Council's official website;

3541 6. Furnish, upon request, formal advisory opinions or guidelines and other appropriate information,
3542 including informal advice, regarding (i) ethics, (ii) conflicts issues arising under Article 3 (§ 2.2-418 et seq.)
3543 of Chapter 4 of Title 2.2 or the Acts, or (iii) a person's duties under Article 3 or the Acts to any person
3544 covered by Article 3 or the Acts or to any agency of state or local government, in an expeditious manner. The
3545 Council may authorize a designee to furnish formal opinions or informal advice.

3546 a. Formal advisory opinions are public record and shall be published on the Council's website; however,
3547 no formal advisory opinion furnished by a designee of the Council shall be available to the public or
3548 published until such opinion has been approved by the Council. Published formal advisory opinions may
3549 have such deletions and changes as may be necessary to protect the identity of the person involved or other
3550 persons supplying information.

3551 b. Informal advice given by the Council or the Council's designee is confidential and is excluded from the
3552 mandatory disclosure provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.); however, if
3553 the recipient invokes the immunity provisions of § 2.2-3121 or 30.1-229, the record of the request and the
3554 informal advice given shall be deemed to be a public record and shall be released upon request. Other
3555 records relating to formal advisory opinions or informal advice, including records of requests, notes,
3556 correspondence, and draft versions of such opinions or advice, shall also be confidential and excluded from
3557 the mandatory disclosure provisions of the Virginia Freedom of Information Act;

3558 7. Conduct training seminars and educational programs for lobbyists, state and local government officers
3559 and employees, legislators, and other interested persons on the requirements of Article 3 (§ 2.2-418 et seq.)
3560 of Chapter 4 of Title 2.2 and the Acts and provide training sessions for local elected officials in compliance
3561 with Article 9 (§ 2.2-3132) of Chapter 31 of Title 2.2 and ethics orientation sessions for legislators in
3562 compliance with Article 7 (§ 30.1-235 et seq.) of Chapter 2;

3563 8. Approve orientation courses conducted pursuant to § 2.2-3128 and, upon request, review the
3564 educational materials and approve any training or course on the requirements of Article 3 (§ 2.2-418 et seq.)
3565 of Chapter 4 of Title 2.2 and the Acts conducted for state and local government officers and employees;

3566 9. Publish such educational materials as it deems appropriate on the provisions of Article 3 (§ 2.2-418 et
3567 seq.) of Chapter 4 of Title 2.2 and the Acts;

3568 10. Review actions taken in the General Assembly with respect to the discipline of its members for the
3569 purpose of offering nonbinding advice;

3570 11. Request from any agency of state or local government such assistance, services, and information as
3571 will enable the Council to effectively carry out its responsibilities. Information provided to the Council by an
3572 agency of state or local government shall not be released to any other party unless authorized by such
3573 agency;

3574 12. Redact from any document or form that is to be made available to the public any residential address,
3575 personal telephone number, email address, or signature contained on that document or form; and

3576 13. Report according to the provisions of § 30.1-1107 on its activities and findings regarding Article 3
3577 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2 and the Acts, including recommendations for legislation, to the
3578 General Assembly and the Governor.

3579 **§ 30.1-1257. Request for approval for certain travel.**

3580 A. The Council shall receive and review a request for the approval of travel submitted by a person
3581 required to file the disclosure form prescribed in § 2.2-3117 or 30.1-214 to accept any travel-related
3582 transportation, lodging, hospitality, food or beverage, or other thing of value that has a value exceeding \$100
3583 where such approval is required pursuant to subsection G of § 2.2-3103.1 or subsection F of § 30.1-204. A
3584 request for the approval of travel shall not be required for the following, but such travel shall be disclosed as
3585 may be required by the Acts:

3586 1. Travel disclosed pursuant to the Campaign Finance Disclosure Act (§ 24.2-945 et seq.);

3587 2. Travel paid for or provided by the government of the United States, any of its territories, or any state or
3588 any political subdivision of such state;

3589 3. Travel provided to facilitate attendance by a legislator at a regular or special session of the General
3590 Assembly, a meeting of a legislative committee or commission, or a national conference where attendance is
3591 approved by the House Committee on Rules or its Chair or the Senate Committee on Rules or its Chair; or

3592 4. Travel related to an official meeting of the Commonwealth, its political subdivisions, or any board,

3593 commission, authority, or other entity, or any charitable organization established pursuant to § 501(c)(3) of
 3594 the Internal Revenue Code affiliated with such entity, to which such person has been appointed or elected or
 3595 is a member by virtue of his office or employment.

3596 B. When reviewing a request for the approval of travel, the Council shall consider the purpose of the
 3597 travel as it relates to the official duties of the requester. The Council shall approve any request for travel that
 3598 bears a reasonable relationship between the purpose of the travel and the official duties of the requester.
 3599 Such travel shall include any meeting, conference, or other event (i) composed primarily of public officials,
 3600 (ii) at which public policy related to the duties of the requester will be discussed in a substantial manner, (iii)
 3601 reasonably expected to educate the requester on issues relevant to his official duties or to enhance the
 3602 requester's knowledge and skills relative to his official duties, or (iv) at which the requester has been invited
 3603 to speak regarding matters reasonably related to the requester's official duties.

3604 C. The Council shall not approve any travel requests that bear no reasonable relationship between the
 3605 purpose of the proposed travel and the official duties of the requester. In making such determination, the
 3606 Council shall consider the duration of travel, the destination of travel, the estimated value of travel, and any
 3607 previous or recurring travel.

3608 D. Within five business days of receipt of a request for the approval of travel, the Council shall grant or
 3609 deny the request, unless additional information has been requested. If additional information has been
 3610 requested, the Council shall grant or deny the request for the approval within five business days of receipt of
 3611 such information. If the Council has not granted or denied the request for approval of travel or requested
 3612 additional information within such five-day period, such travel shall be deemed to have been approved by the
 3613 Council. Nothing in this subsection shall preclude a person from amending or resubmitting a request for the
 3614 approval of travel. The Council may authorize a designee to review and grant or deny requests for the
 3615 approval of travel.

3616 E. A request for the approval of travel shall be on a form prescribed by the Council and made available
 3617 on its website. Such form may be submitted by electronic means, in-person submission, or mail or
 3618 commercial mail delivery.

3619 F. No person shall be prosecuted, assessed a civil penalty, or otherwise disciplined for acceptance of a
 3620 travel-related thing of value if he accepted the travel-related thing of value after receiving approval under
 3621 this section, regardless of whether such approval is later withdrawn, provided the travel occurred prior to
 3622 the withdrawal of the approval.

3623 **§ 30.1-1258. Right to grant extensions in special circumstances; civil penalty.**

3624 A. Notwithstanding any other provision of law, any person required to file the disclosure form prescribed
 3625 in Article 3 (§ 2.2-418 et seq.) of Chapter 4 of Title 2.2 or the Acts shall be entitled to an extension where
 3626 good cause for granting such an extension has been shown, as determined by the Council. Good cause shall
 3627 include:

3628 1. The death of a relative of the filer, as relative is defined in the definition of "gift" in Article 3 (§ 2.2-418
 3629 et seq.) of Chapter 4 of Title 2.2 or the Acts.

3630 2. A state of emergency declared by the Governor pursuant to Chapter 3.2 (§ 44-146.13 et seq.) of Title
 3631 44 or declared by the President of the United States or the governor of another state pursuant to law and
 3632 confirmed by the Governor by an executive order when such emergency interferes with the timely filing of
 3633 disclosure forms. The extension shall be granted only for those filers in areas affected by the emergency.

3634 3. The filer being on active duty as a member of a uniformed service of the United States on the date of the
 3635 filing deadline.

3636 4. A failure of the electronic filing system when the failure of such system prevents the timely filing of
 3637 disclosure forms.

3638 B. For any filer who is unable to timely file the disclosure form prescribed in the Acts due to the
 3639 disclosure form not being made available to him until after the deadline has passed, the Council shall grant
 3640 such filer a five-day extension upon request. The head of the agency for which the filer works or the clerk of
 3641 the school board or governing body of the locality that was responsible for providing the disclosure form to
 3642 such filer shall be assessed a civil penalty in an amount equal to \$250, to be collected in accordance with the
 3643 procedure set forth in subsection B of § 2.2-3124. If the disclosure form is provided to the filer within three
 3644 days prior to the filing deadline, the Council shall grant the filer a three-day extension upon request and no
 3645 civil penalties shall be assessed against the head of such filer's agency or the clerk.

3646 C. The provisions of this section shall not apply to any statement of economic interests filed as a
 3647 requirement of candidacy pursuant to § 24.2-502.

3648 **§ 30.1-1259. Staffing.**

3649 The Division of Legislative Services shall provide staff support. Staff shall perform the duties assigned to
 3650 it by the Council, including the duties enumerated in § 30.1-1258. The Division of Legislative Services shall
 3651 employ an executive director, who shall be subject to the confirmation of the Joint Committee on Rules.

3652 *Article 10.*

3653 *Virginia-Israel Advisory Board.*

3654 **§ 30.1-1260. Virginia-Israel Advisory Board; purpose.**

§ 30.1-1267. Powers and duties of the Commission.

3717 The Commission shall have the following powers and duties:

- 3719 1. Collect and analyze information and data necessary to accomplish the purpose set forth in § 30.1-1265;
- 3720 2. Provide ongoing oversight of behavioral health services and the behavioral health service system in the Commonwealth, including monitoring and evaluating established programs, services, and delivery and payment structures, and developing recommendations for the improvement thereof;
- 3723 3. Monitor and evaluate the jurisdiction, powers and duties, operations, management, and interrelationships of any department, division, board, bureau, commission, authority, or other agency with direct responsibility for the delivery, coordination, management, or financing of behavioral health services in the Commonwealth and develop recommendations for the improvement thereof;
- 3727 4. Monitor and evaluate the design, implementation, and operation of new behavioral health initiatives in the Commonwealth and develop recommendations for the improvement thereof;
- 3729 5. Examine matters related to the delivery of behavioral health services in other states and consult and exchange information with officers and agencies of other states with respect to behavioral health service issues of mutual concern;
- 3732 6. Maintain offices and hold meetings and functions at any place in the Commonwealth that it deems necessary;
- 3734 7. Invite other interested parties to sit with the Commission and participate in its deliberations;
- 3735 8. Coordinate with other agencies and entities of the Commonwealth with regard to developing and proposing recommendations related to behavioral health services in the Commonwealth;
- 3737 9. Appoint any work group or special task force from among its members to study and make recommendations on specific matters before the Commission;
- 3739 10. Implement a process to solicit and receive input from (i) individuals who are currently receiving or have received behavioral health services or (ii) individuals with intellectual or developmental disabilities or autism spectrum disorders or the family members of such individuals to inform the work of the Commission; and
- 3743 11. Submit reports pursuant to § 30.1-1107, including reports detailing its recommendations to the General Assembly and the Governor.

§ 30.1-1268. Staffing.

3746 The Commission may appoint and employ and, at its pleasure, remove an executive director and such other persons as it deems necessary to assist it in carrying out its duties as set forth in this article. The Commission may also employ experts who have knowledge of the issues before it. The Commission shall determine the duties of such staff and fix their salaries or compensation within the amounts appropriated to the Commission in the general appropriation act.

§ 30.1-1269. Commission requests of other state agencies and political subdivisions.

3751 The Commission may request records, including data and information, that it may require for the performance of its duties and every department, division, board, bureau, commission, authority, or other agency established by the Commonwealth or to which the Commonwealth is a party or any political subdivision of the Commonwealth shall provide such records, including data and information, to the fullest extent possible and except as prohibited by law. Upon request and availability, the Commission shall receive access to the facilities of and ample opportunity to observe the operations of every department, division, board, bureau, commission, authority, or other agency established by the Commonwealth or to which the Commonwealth is a party or of any political subdivision of the Commonwealth.

CHAPTER 13.**SPECIAL ADVISORY LEGISLATIVE ENTITIES.****Article 1.****Virginia Coal and Energy Commission.****§ 30.1-1300. Virginia Coal and Energy Commission; purpose.**

3765 The Virginia Coal and Energy Commission (the Commission) is established in the legislative branch of state government. The purpose of the Commission is to study all aspects of coal as an energy resource and endeavor to stimulate, encourage, promote, and assist in the development of renewable and alternative energy resources other than petroleum.

§ 30.1-1301. Membership; terms.

3770 A. The Commission shall have a total membership of 20 members that shall include 13 legislative members and seven nonlegislative citizen members. Members shall be appointed as follows:

- 3772 1. Eight members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates;
- 3775 2. Five members of the Senate to be appointed by the Senate Committee on Rules; and
- 3776 3. Seven nonlegislative citizen members, who shall include representatives of industry, government, and groups or organizations identified with the production and conservation of coal, natural gas, and energy, to be appointed by the Governor.

3841 government. The purpose of the Commission is to study, report, and make recommendations on issues of
 3842 concern to small businesses in the Commonwealth.

3843 **§ 30.1-1309. Membership.**

3844 The Commission shall have a total membership of 16 members that shall include 10 legislative members
 3845 and six nonlegislative citizen members. Members shall be appointed as follows:

3846 1. Six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in
 3847 accordance with the principles of proportional representation contained in the Rules of the House of
 3848 Delegates;

3849 2. Four members of the Senate to be appointed by the Senate Committee on Rules; and

3850 3. Six nonlegislative citizen members, each of whom shall have previously demonstrated small business
 3851 experience or expertise, to be appointed by the Governor.

3852 **§ 30.1-1310. Powers and duties of the Commission.**

3853 The Commission shall have the following powers and duties:

3854 1. Evaluate the impact of existing statutes and proposed legislation on small businesses;

3855 2. Assess the Commonwealth's small business assistance programs and examine ways to enhance their
 3856 effectiveness;

3857 3. Provide small business owners and their advocates with a forum to address their concerns; and

3858 4. Submit reports pursuant to § 30.1-1107.

3859 **§ 30.1-1311. Staffing.**

3860 The Office of the Clerk of the chair of the Commission shall provide administrative staff support. The
 3861 Division of Legislative Services shall provide legal and legislative research and analysis as requested by the
 3862 Commission.

3863 **Article 4.**

3864 **Virginia Disability Commission.**

3865 **§ 30.1-1312. Virginia Disability Commission; purpose.**

3866 The Virginia Disability Commission (the Commission) is established in the legislative branch of state
 3867 government. The purpose of the Commission is to identify and recommend legislative priorities and policies
 3868 for adoption or examination by the General Assembly in order to provide ongoing support for the
 3869 development and review of services and funding related to residents of the Commonwealth with physical and
 3870 sensory disabilities.

3871 **§ 30.1-1313. Membership.**

3872 The Commission shall have a total membership of 11 members that shall include six legislative members
 3873 and five nonlegislative citizen members. Members shall be appointed as follows:

3874 1. Four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in
 3875 accordance with the principles of proportional representation contained in the Rules of the House of
 3876 Delegates;

3877 2. Two members of the Senate to be appointed by the Senate Committee on Rules;

3878 3. Three nonlegislative citizen members, of whom one shall be a consumer with a disability, one shall be a
 3879 member of the medical, insurance, or rehabilitation profession, and one shall be a citizen at large, to be
 3880 appointed by the Speaker of the House of Delegates upon consideration of the recommendations of the
 3881 Governor, if any; and

3882 4. Two nonlegislative citizen members, of whom one shall be a consumer with a disability and one shall
 3883 be a member of the medical, insurance, or rehabilitation profession, to be appointed by the Senate Committee
 3884 on Rules upon consideration of the recommendations of the Governor, if any.

3885 **§ 30.1-1314. Powers and duties of the Commission; funding.**

3886 A. The Commission shall have the following powers and duties:

3887 1. Serve as the primary forum in the Commonwealth where the needs of and issues affecting people with
 3888 physical and sensory disabilities are identified and addressed through the collaboration of members of the
 3889 legislative and executive branches of state government, including the staff of legislative and executive branch
 3890 agencies, and citizens of the Commonwealth;

3891 2. Develop, evaluate, and advance budget proposals and legislative and policy recommendations to
 3892 support a service system that maximizes the self-sufficiency of residents of the Commonwealth with
 3893 disabilities;

3894 3. Develop and evaluate recommendations for service program changes and funding related to services
 3895 for persons with physical and sensory disabilities;

3896 4. Advise the General Assembly and the Governor on local, state, and federal policies and programs
 3897 relevant to citizens with disabilities;

3898 5. Serve as the primary body for coordinating proposals and recommendations of all commissions and
 3899 agencies for legislation or budget actions affecting persons with physical and sensory disabilities, including
 3900 receiving, reviewing, and responding to proposals and recommendations;

3901 6. Convene work groups composed of persons with expertise in the matters under consideration by the
 3902 Commission to assist the Commission on issues related to (i) housing and transportation, (ii) education and

3903 *employment, (iii) publicly funded services, and (iv) such other issues as the Commission may deem necessary.*
3904 *Persons serving on the work groups shall serve without compensation; and*
3905 *7. By October 1 of each year, submit its recommendations to the General Assembly and the Governor in*
3906 *an annual report that shall be submitted as provided in the procedures of the Division of Legislative*
3907 *Automated Systems for the processing of legislative documents and reports and shall be posted on the*
3908 *General Assembly's website.*

3909 *B. If the Commission is not funded by a separate appropriation in the general appropriation act for any*
3910 *year, the Commission shall expire on July 1 of the fiscal year in which it fails to receive such funding.*

3911 **§ 30.1-1315. Staffing.**

3912 *The Office of the Clerk of the chair of the Commission shall provide administrative staff support. The*
3913 *Division of Legislative Services shall provide legal and legislative research and analysis as requested by the*
3914 *Commission.*

3915 **Article 5.**

3916 **Manufacturing Development Commission.**

3917 **§ 30.1-1316. Manufacturing Development Commission; purpose.**

3918 *The Manufacturing Development Commission (the Commission) is established in the legislative branch of*
3919 *state government. The purpose of the Commission is to assess manufacturing needs and formulate legislative*
3920 *and regulatory remedies to ensure the future of the manufacturing sector in the Commonwealth.*

3921 **§ 30.1-1317. Membership; terms; compensation.**

3922 *A. The Commission shall have a total membership of 14 members that shall include eight legislative*
3923 *members, five nonlegislative citizen members, and one ex officio member. Members shall be appointed as*
3924 *follows:*

3925 *1. Five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in*
3926 *accordance with the principles of proportional representation contained in the Rules of the House of*
3927 *Delegates;*

3928 *2. Three members of the Senate to be appointed by the Senate Committee on Rules; and*

3929 *3. Five nonlegislative citizen members, of whom (i) one shall be a representative of a Virginia*
3930 *manufacturer, (ii) one shall be a representative of the Virginia Manufacturers Association, (iii) one shall be a*
3931 *representative of an entity or organization active in economic development efforts in the Commonwealth, (iv)*
3932 *one shall be a representative of Norfolk State University or Virginia State University, and (v) one shall be a*
3933 *representative of a public institution of higher education other than Norfolk State University or Virginia State*
3934 *University, to be appointed by the Governor.*

3935 *The Secretary of Commerce and Trade or his designee shall serve ex officio.*

3936 *B. Nonlegislative citizen members shall be appointed for terms of four years and shall serve without*
3937 *compensation.*

3938 *C. Costs of the Commission shall not exceed \$12,000 per year.*

3939 **§ 30.1-1318. Powers and duties of the Commission; funding.**

3940 *A. The Commission shall have the following powers and duties:*

3941 *1. Assess the direct and indirect economic impact of the manufacturing sector on the economy of the*
3942 *Commonwealth;*

3943 *2. Determine the needs of the manufacturing sector and the most efficient and cost-effective manner in*
3944 *which such needs may be addressed;*

3945 *3. Consider the effect of local and state tax policies, regulatory compliance costs, and research and*
3946 *development investment, energy, transportation, and workforce training policies and costs on the*
3947 *manufacturing sector and recommend the appropriate role for state and local governments in ensuring the*
3948 *future of the manufacturing sector in the Commonwealth;*

3949 *4. Develop a comprehensive energy plan for the Commonwealth that evaluates the Commonwealth's*
3950 *current and future energy supply and demand. In developing such plan, the Commission shall solicit and*
3951 *analyze suggestions and information from utility providers, petroleum companies, automobile manufacturers,*
3952 *fuel suppliers, technology companies, environmental organizations, and consumers;*

3953 *5. Evaluate the effectiveness of state and local economic development programs and incentives on the*
3954 *research and development of technology-intensive manufacturing;*

3955 *6. Consult and coordinate with the Joint Commission on Technology and Science, the Joint Legislative*
3956 *Audit and Review Commission, the Joint Commission on Administrative Rules, and other legislative*
3957 *commissions, committees, and councils to minimize fragmentation and duplication relative to the respective*
3958 *powers and duties of such entities;*

3959 *7. Provide manufacturers and their advocates with a forum to address their concerns; and*

3960 *8. Submit reports pursuant to § 30.1-1107.*

3961 *B. If the Commission is not funded by a separate appropriation in the general appropriation act for any*
3962 *year, the Commission shall expire on July 1 of the fiscal year in which it fails to receive such funding.*

3963 **§ 30.1-1319. Staffing.**

3964 *The Office of the Clerk of the chair of the Commission shall provide administrative staff support. The*

3965 *Division of Legislative Services shall provide legal and legislative research and analysis as requested by the*
 3966 *Commission.*

3967 **Article 6.**

3968 *Commission on Updating Virginia Law to Reflect Federal Recognition of Virginia Tribes.*

3969 **§ 30.1-1320. (Expires July 1, 2026) Commission on Updating Virginia Law to Reflect Federal**
 3970 **Recognition of Virginia Tribes; purpose.**

3971 *The Commission on Updating Virginia Law to Reflect Federal Recognition of Virginia Tribes (the*
 3972 *Commission) is established in the legislative branch of state government. The purpose of the Commission is*
 3973 *to perform a comprehensive review of the Code of Virginia to assess ways in which it shall be revised to*
 3974 *reflect the government-to-government relationship the Commonwealth should maintain, by treaty and*
 3975 *applicable federal law, with the sovereign, self-governing, federally recognized Tribal Nations located within*
 3976 *the present-day external boundaries of the Commonwealth.*

3977 **§ 30.1-1321. (Expires July 1, 2026) Membership.**

3978 *The Commission shall have a total membership of 19 members that shall include 10 legislative members,*
 3979 *eight nonlegislative citizen members, and one ex officio member. Members shall be appointed as follows:*

3980 *1. Six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in*
 3981 *accordance with the principles of proportional representation contained in the Rules of the House of*
 3982 *Delegates;*

3983 *2. Four members of the Senate to be appointed by the Senate Committee on Rules;*

3984 *3. Seven nonlegislative citizen members, of whom at least one shall represent each of the seven federally*
 3985 *recognized Tribal Nations located in the Commonwealth, to be appointed by the Speaker of the House of*
 3986 *Delegates with the advice and consent of each such federally recognized Tribal Nation; and*

3987 *4. One nonlegislative citizen member, who shall represent the Commonwealth's scholarly community, to*
 3988 *be appointed by the Senate Committee on Rules.*

3989 *The Secretary of the Commonwealth or his designee shall serve ex officio.*

3990 **§ 30.1-1322. (Expires July 1, 2026) Voting on recommendations.**

3991 *No recommendation of the Commission shall be adopted if the majority of the members representing*
 3992 *Tribal Nations vote against the recommendation.*

3993 **§ 30.1-1323. (Expires July 1, 2026) Powers and duties of the Commission.**

3994 *The Commission shall have the following powers and duties:*

3995 *1. Perform a comprehensive review of the Code of Virginia to reflect the government-to-government*
 3996 *relationship between the Commonwealth and federally recognized Tribal Nations located in the*
 3997 *Commonwealth as distinct governments with the right to exercise general sovereignty and powers of*
 3998 *government; and*

3999 *2. Submit reports pursuant to § 30.1-1107.*

4000 **§ 30.1-1324. (Expires July 1, 2026) Staffing.**

4001 *The Office of the Clerk of the chair of the Commission shall provide administrative staff support. The*
 4002 *Division of Legislative Services shall provide legal and legislative research and analysis as requested by the*
 4003 *Commission.*

4004 **§ 30.1-1325. (Expires July 1, 2026) Sunset.**

4005 *This article shall expire on July 1, 2026.*

4006 **Article 7.**

4007 *School Health Services Committee.*

4008 **§ 30.1-1326. (Expires July 1, 2028) School Health Services Committee; purpose.**

4009 *The School Health Services Committee (the Committee) is established in the legislative branch of state*
 4010 *government. The purpose of the Committee is to review and provide advice to the General Assembly and*
 4011 *other policy makers regarding proposals that require local school boards to offer certain health services in a*
 4012 *school setting.*

4013 **§ 30.1-1327. (Expires July 1, 2028) Membership.**

4014 *The Committee shall have a total membership of 15 members that shall include eight legislative members,*
 4015 *five nonlegislative citizen members, and two ex officio members. Members shall be appointed as follows:*

4016 *1. Five members of the House of Delegates, each of whom shall be a member of either the House*
 4017 *Committee on Health and Human Services or the House Committee on Education, to be appointed by the*
 4018 *Speaker of the House of Delegates in accordance with the principles of proportional representation*
 4019 *contained in the Rules of the House of Delegates;*

4020 *2. Three members of the Senate, each of whom shall be a member of the Senate Committee on Education*
 4021 *and Health, to be appointed by the Senate Committee on Rules;*

4022 *3. Two nonlegislative citizen members, of whom one shall be an educator at a public school in the*
 4023 *Commonwealth and one shall be a public health expert, to be appointed by the Speaker of the House of*
 4024 *Delegates; and*

4025 *4. Three nonlegislative citizen members, of whom one shall be an educator at a public school in the*
 4026 *Commonwealth, one shall be a school nurse at a public school in the Commonwealth, and one shall be a*

4027 *public health expert, to be appointed by the Senate Committee on Rules.*

4028 *The Superintendent of Public Instruction and the State Health Commissioner or their designees shall*
4029 *serve ex officio with nonvoting privileges.*

4030 **§ 30.1-1328. Powers and duties of the Committee.**

4031 *The Committee shall have the following powers and duties:*

4032 *1. Review and provide advice to the General Assembly and other policy makers regarding proposals that*
4033 *require local school boards to offer certain health services in a school setting; and*

4034 *2. By October 1 of each year, in lieu of the report required by § 30.1-1107, submit its findings and*
4035 *recommendations to the General Assembly and the Governor in an annual report that shall be submitted as*
4036 *provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative*
4037 *documents and reports and shall be posted on the General Assembly's website.*

4038 **§ 30.1-1329. (Expires July 1, 2028) Staffing.**

4039 *The Office of the Clerk of the chair of the Committee shall provide administrative staff support. The*
4040 *Division of Legislative Services shall provide legal and legislative research and analysis as requested by the*
4041 *Committee.*

4042 **§ 30.1-1330. (Expires July 1, 2028) Sunset.**

4043 *This article shall expire on July 1, 2028.*

4044 **Article 8.**

4045 **Autism Advisory Council.**

4046 **§ 30.1-1331. (Expires July 1, 2027) Autism Advisory Council; purpose.**

4047 *A. For purposes of this article, "autism spectrum disorder" means the same as that term is defined in the*
4048 *current edition of the "Diagnostic and Statistical Manual of Mental Disorders" published by the American*
4049 *Psychiatric Association.*

4050 *B. The Autism Advisory Council (the Council) is established in the legislative branch of state government.*
4051 *The purpose of the Council is to promote coordination of services and resources among agencies involved in*
4052 *the delivery of services to residents of the Commonwealth with autism spectrum disorders and to increase*
4053 *public awareness of such services and resources.*

4054 **§ 30.1-1332. (Expires July 1, 2027) Membership; terms; meetings.**

4055 *A. The Council shall have a total membership of 25 members that shall include six legislative members,*
4056 *12 nonlegislative citizen members, and seven ex officio members. Members shall be appointed as follows:*

4057 *1. Four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in*
4058 *accordance with the principles of proportional representation contained in the Rules of the House of*
4059 *Delegates;*

4060 *2. Two members of the Senate to be appointed by the Senate Committee on Rules; and*

4061 *3. Twelve nonlegislative citizen members, of whom (i) two shall be representatives of autism advocacy*
4062 *organizations, (ii) two shall be parents of children with autism, (iii) two shall be persons with an autism*
4063 *spectrum disorder, (iv) one shall be a clinician in the autism field, (v) one shall be a licensed behavior*
4064 *analyst, (vi) one shall be a private day school director, (vii) one shall be a public school special education*
4065 *director, and (viii) two shall be representatives from autism programs at an institution of higher education, to*
4066 *be appointed by the Governor.*

4067 *The Commissioner of Behavioral Health and Developmental Services, the Commissioner for Aging and*
4068 *Rehabilitative Services, the Commissioner of Health, the Commissioner of Social Services, the*
4069 *Superintendent of Public Instruction, the Executive Director of the Virginia Board for People with*
4070 *Disabilities, and the Director of the Department of Medical Assistance Services or their designees shall serve*
4071 *ex officio.*

4072 *B. Nonlegislative citizen members shall be appointed for terms of four years. No nonlegislative citizen*
4073 *member shall serve more than two consecutive four-year terms.*

4074 *C. The Council shall meet no less than five times a year, upon the call of the chair or a majority of the*
4075 *members.*

4076 **§ 30.1-1333. (Expires July 1, 2027) Powers and duties of the Council.**

4077 *The Council shall have the following powers and duties:*

4078 *1. Facilitate the coordination of services and resources among agencies involved in the delivery of*
4079 *services to residents of the Commonwealth with autism spectrum disorders;*

4080 *2. Monitor the implementation of action plans developed by agencies in response to the report of the Joint*
4081 *Legislative Audit and Review Commission entitled "Assessment of Services for Virginians with Autism*
4082 *Spectrum Disorders," House Document No. 8 (2009);*

4083 *3. Recommend policies, legislation, and funding needed to implement the action plans developed in*
4084 *response to the report of the Joint Legislative Audit and Review Commission entitled "Assessment of Services*
4085 *for Virginians with Autism Spectrum Disorders," House Document No. 8 (2009) and address other emerging*
4086 *issues;*

4087 *4. Determine services, resources, and policies that may further address the needs of individuals with*
4088 *autism spectrum disorders; and*

4089 5. Submit reports pursuant to § 30.1-1107, including progress updates and recommended next steps to be
 4090 taken by agencies in the following year.

4091 **§ 30.1-1334. (Expires July 1, 2027) Staffing.**

4092 The Office of the Clerk of the chair of the Council shall provide administrative staff support. The Division
 4093 of Legislative Services shall provide legal and legislative research and analysis as requested by the Council.

4094 **§ 30.1-1335. (Expires July 1, 2027) Sunset.**

4095 This article shall expire on July 1, 2027.

4096 Article 9.

4097 *Virginia Minority Business Commission.*

4098 **§ 30.1-1336. (Expires July 1, 2028) Virginia Minority Business Commission; purpose.**

4099 The Virginia Minority Business Commission (the Commission) is established in the legislative branch of
 4100 state government. The purpose of the Commission is to promote the growth and competitiveness of minority-
 4101 owned businesses in the Commonwealth, as defined in § 2.2-1604.

4102 **§ 30.1-1337. (Expires July 1, 2028) Membership.**

4103 The Commission shall have a total membership of 13 members that shall include seven legislative
 4104 members and six nonlegislative citizen members. Members shall be appointed as follows:

4105 1. Four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in
 4106 accordance with the principles of proportional representation contained in the Rules of the House of
 4107 Delegates;

4108 2. Three members of the Senate to be appointed by the Senate Committee on Rules;

4109 3. Three nonlegislative citizen members with expertise in entrepreneurship, economics, and business to be
 4110 appointed by the Speaker of the House of Delegates; and

4111 4. Three nonlegislative citizen members with expertise in entrepreneurship, economics, and business to be
 4112 appointed by the Senate Committee on Rules.

4113 **§ 30.1-1338. (Expires July 1, 2028) Powers and duties of the Commission.**

4114 The Commission shall have the following powers and duties:

4115 1. Evaluate the impact of existing statutes and proposed legislation on minority-owned businesses in the
 4116 Commonwealth;

4117 2. Assess current programs in the Commonwealth aimed at assisting minority-owned businesses and
 4118 examine ways to enhance their effectiveness;

4119 3. Provide minority business owners and their advocates with a forum to address their concerns;

4120 4. Develop strategies and recommendations to promote the growth and competitiveness of minority-
 4121 owned businesses in the Commonwealth;

4122 5. Collaborate with the Department of Small Business and Supplier Diversity and other appropriate
 4123 entities to facilitate the Commission's work and mission;

4124 6. Submit reports pursuant to § 30.1-1107, although such reports shall be optional, not mandatory; and

4125 7. Perform such other duties, functions, and activities as may be necessary to facilitate and implement the
 4126 objectives of this article.

4127 **§ 30.1-1339. (Expires July 1, 2028) Sunset.**

4128 This article shall expire on July 1, 2028.

4129 CHAPTER 14.

4130 OVERSIGHT LEGISLATIVE ENTITIES.

4131 Article 1.

4132 *Chesapeake Bay Restoration Fund Approval Committee.*

4133 **§ 30.1-1400. Chesapeake Bay Restoration Fund Approval Committee; purpose.**

4134 The Chesapeake Bay Restoration Fund Approval Committee (the Committee) is established in the
 4135 legislative branch of state government. The purpose of the Committee is to provide oversight on the
 4136 expenditure of moneys received in the Chesapeake Bay Restoration Fund created pursuant to § 46.2-749.2.

4137 **§ 30.1-1401. Membership; terms; compensation.**

4138 A. The Committee shall have a total membership of seven members that shall include three legislative
 4139 members and four nonlegislative citizen members. Members shall be appointed as follows:

4140 1. Two members of the House of Delegates to be appointed by the Speaker of the House of Delegates;

4141 2. One member of the Senate to be appointed by the Senate Committee on Rules;

4142 3. Two nonlegislative citizen members, of whom one shall be a representative of the Chesapeake Bay
 4143 Foundation, to be appointed by the Speaker of the House of Delegates; and

4144 4. Two nonlegislative citizen members, of whom one shall be a representative of the Virginia Association
 4145 of Soil and Water Conservation Districts, to be appointed by the Senate Committee on Rules.

4146 All persons appointed to the Committee shall represent interests associated with the restoration and
 4147 conservation of the Chesapeake Bay.

4148 B. Nonlegislative citizen members of the Committee shall serve for terms of four years.

4149 C. Members shall receive no compensation for their services but shall be reimbursed out of the
 4150 Chesapeake Bay Restoration Fund for all reasonable and necessary expenses incurred in the performance of

4151 their duties as provided in §§ 2.2-2813 and 2.2-2825.

4152 **§ 30.1-1402. Powers and duties of the Committee.**

4153 The Committee shall have the following powers and duties:

4154 1. Develop goals and guidelines for the use of the Chesapeake Bay Restoration Fund (the Fund) in
4155 accordance with the purposes of the Fund as provided in § 46.2-749.2. The uses of the Fund may include
4156 cooperative programs with or project grants to state agencies, the federal government, or any not-for-profit
4157 agency, institution, organization, or entity, public or private. No moneys in the Fund shall be used to
4158 supplant existing general fund appropriations except as provided in subsection D of § 46.2-749.2; and

4159 2. In lieu of the report required by § 30.1-1107, present to the General Assembly and the Governor a plan
4160 for the expenditure of any amounts in the Fund by November 15 of each year.

4161 **§ 30.1-1403. Staffing.**

4162 The Office of the Clerk of the chair of the Committee shall provide administrative staff support. The
4163 Division of Legislative Services shall provide legal and legislative research and analysis as requested by the
4164 Committee.

4165 **Article 2.**

4166 **Commission on Unemployment Compensation.**

4167 **§ 30.1-1404. Commission on Unemployment Compensation; purpose.**

4168 The Commission on Unemployment Compensation (the Commission) is established in the legislative
4169 branch of state government. The purpose of the Commission is to annually monitor and evaluate the
4170 Commonwealth's unemployment compensation system relative to the economic health of the Commonwealth.

4171 **§ 30.1-1405. Membership; meetings.**

4172 A. The Commission shall have a total membership of 10 members that shall include eight legislative
4173 members and two nonlegislative citizen members. Members shall be appointed as follows:

4174 1. Five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in
4175 accordance with the principles of proportional representation contained in the Rules of the House of
4176 Delegates;

4177 2. Three members of the Senate to be appointed by the Senate Committee on Rules;

4178 3. One nonlegislative citizen member who shall be an employee stakeholder representative to be
4179 appointed by the Speaker of the House of Delegates; and

4180 4. One nonlegislative citizen member who shall be an employer representative to be appointed by the
4181 Senate Committee on Rules.

4182 B. The Commission shall meet at least two times each year.

4183 **§ 30.1-1406. Powers and duties of the Commission.**

4184 A. The Commission shall have the following powers and duties:

4185 1. Evaluate the impact of existing statutes and proposed legislation on unemployment compensation and
4186 the Unemployment Trust Fund;

4187 2. Assess the Commonwealth's unemployment compensation programs and examine ways to enhance
4188 effectiveness;

4189 3. Monitor the current status and long-term projections for the Unemployment Trust Fund; and

4190 4. Submit reports pursuant to § 30.1-1107.

4191 B. The Commission shall monitor the Virginia Employment Commission's management of the following
4192 operations of the Commonwealth's unemployment insurance system:

4193 1. Key performance metrics related to unemployment insurance backlogs;

4194 2. Efforts to identify, prevent, and recover incorrect unemployment insurance benefit payments, including
4195 fraudulent payments;

4196 3. Modernization of the unemployment insurance information technology system and subsequent efforts to
4197 improve functionality;

4198 4. Expenditures of state funds appropriated for unemployment insurance administration; and

4199 5. Implementation of recommendations from the 2021 Operations and Performance of the Virginia
4200 Employment Commission report by the Joint Legislative Audit and Review Commission.

4201 C. The Commission shall convene an advisory committee by December 1, 2022, and at least every five
4202 years thereafter. The advisory committee shall consist of an employer representative, an employee
4203 representative, a labor economist, a finance expert, a labor law expert, and any other stakeholders or subject
4204 matter experts deemed appropriate by the Commission for the following purposes:

4205 1. Review unemployment insurance benefits, replacement ratios, and recipiency rates;

4206 2. Identify factors that affect unemployment insurance benefits and recipiency, such as the design of
4207 unemployment insurance benefit calculations or unemployment insurance eligibility criteria;

4208 3. Assess the advantages and disadvantages of potential changes to benefits; and

4209 4. Recommend to the Commission options to change benefit levels when needed.

4210 **§ 30.1-1407. Staffing.**

4211 The Office of the Clerk of the chair of the Commission shall provide administrative staff support. The
4212 Division of Legislative Services shall provide legal and legislative research and analysis as requested by the

4275 1. A determination of whether the terms and conditions of the detailed proposal and proposed qualifying
4276 project create state tax-supported debt, taking into consideration the specific findings of the Secretary of
4277 Finance;

4278 2. An analysis of the potential financial impact of the proposed qualifying project;

4279 3. A review of the policy aspects of the detailed proposal and the proposed qualifying project; and

4280 4. A review of the proposed general business terms and conditions.

4281 A review by the Commission shall not be construed to constitute approval of any appropriation necessary
4282 to implement any subsequent interim or comprehensive agreement. If no findings or recommendations are
4283 provided by the Commission to the responsible public entity within the 45-day period, the Commission shall
4284 be deemed to have no findings or recommendations.

4285 E. No responsible public entity shall commence negotiation of an interim or comprehensive agreement
4286 until the Commission provides recommendations, if any, or declines to accept the detailed proposals for
4287 review.

4288 F. The responsible public entity shall submit a copy of the proposed interim or comprehensive agreement
4289 to the Commission, the Chairs of the House Committee on Appropriations, House Committee on Finance,
4290 and Senate Committee on Finance and Appropriations or their designees, and the Director of the Department
4291 of General Services at least 30 days prior to execution of the agreement along with a report describing the
4292 extent to which the Commission's recommendations were addressed in the proposed interim or
4293 comprehensive agreement.

4294 **§ 30.1-1412. Staffing.**

4295 The Office of the Clerk of the chair of the Commission shall provide administrative staff support. The
4296 Division of Legislative Services shall provide legal and legislative research and analysis as requested by the
4297 Commission. Technical assistance shall be provided by the staffs of the House Committee on Appropriations
4298 and the Senate Committee on Finance and Appropriations and the Office of the Auditor of Public Accounts.
4299 The Department of General Services shall provide additional assistance as needed.

4300 **§ 30.1-1413. Confidentiality of certain records submitted to the Commission.**

4301 Records and information afforded protection under subdivision 11 of § 2.2-3705.6 that are provided by a
4302 responsible public entity to the Commission shall continue to be protected from disclosure when in the
4303 possession of the Commission.

4304 Article 4.

4305 Joint Commission on Transportation Accountability.

4306 **§ 30.1-1414. Joint Commission on Transportation Accountability; purpose.**

4307 The Joint Commission on Transportation Accountability (the Commission) is established in the legislative
4308 branch of state government. The purpose of the Commission is to ensure that sums appropriated to state
4309 agencies for transportation purposes have been or are being expended for the purposes for which they were
4310 made and to evaluate the effectiveness of programs in accomplishing such legislative intent.

4311 **§ 30.1-1415. Membership.**

4312 The Commission shall have a total membership of 11 members that shall consist of 10 legislative members
4313 and one ex officio member. Members shall be appointed as follows:

4314 1. Six members of the House of Delegates, of whom at least three shall be members of the House
4315 Committee on Transportation, to be appointed by the Speaker of the House of Delegates in accordance with
4316 the principles of proportional representation contained in the Rules of the House of Delegates; and

4317 2. Four members of the Senate, of whom at least two shall be members of the Senate Committee on
4318 Transportation, to be appointed by the Senate Committee on Rules.

4319 The Auditor of Public Accounts or his designee shall serve ex officio with nonvoting privileges.

4320 **§ 30.1-1416. Powers and duties of the Commission.**

4321 A. The Commission shall have the following powers and duties:

4322 1. Conduct performance reviews of operations of state agencies with transportation responsibilities to
4323 ensure that sums appropriated have been or are being expended for the purposes for which they were made
4324 and to evaluate the effectiveness of programs in accomplishing legislative intent;

4325 2. Study, on a continuing basis, the operations, practices, and duties of state agencies with transportation
4326 responsibilities as they relate to efficiency in the use of space, personnel, equipment, and facilities;

4327 3. Retain such consultants and advisers as the Commission deems necessary to evaluate financial and
4328 project management of state agencies with transportation responsibilities;

4329 4. Make such special studies of and reports on the operations and functions of state agencies with
4330 transportation responsibilities as the Commission deems appropriate and as may be requested by the
4331 General Assembly;

4332 5. Review actions of the Commonwealth Transportation Board; and

4333 6. Make recommendations to the General Assembly on necessary transportation legislation.

4334 B. The Commission is exempt from the reporting requirement established in § 30.1-1107.

4335 **§ 30.1-1417. Staffing.**

4336 The Office of the Clerk of the chair of the Commission shall provide administrative staff support. The

4337 *Division of Legislative Services shall provide legal and legislative research and analysis as requested by the*
 4338 *Commission. Technical assistance shall be provided by the Joint Legislative Audit and Review Commission*
 4339 *upon request.*

4340 **Article 5.**

4341 **MEI Project Approval Commission.**

4342 **§ 30.1-1418. Definitions.**

4343 *As used in this article, unless the context requires a different meaning:*

4344 *"Commission" means the MEI Project Approval Commission.*

4345 *"Major Employment and Investment project" or "MEI project" means the same as that term is defined in*
 4346 *§ 2.2-2260.*

4347 *"Nondiscretionary incentive" means a tax credit, tax exemption, or grant to which a taxpayer or applicant*
 4348 *is entitled if he meets the statutory criteria required for such credit, exemption, or grant.*

4349 **§ 30.1-1419. MEI Project Approval Commission; purpose.**

4350 *The MEI Project Approval Commission is established in the legislative branch of state government. The*
 4351 *purpose of the Commission is to review financing for individual incentive packages, including packages*
 4352 *offering tax incentives, for economic development, film, and episodic television projects, including MEI*
 4353 *projects, for which the following apply:*

4354 *1. One or more of the incentives in the incentive package are not authorized under current law or the*
 4355 *General Assembly is seeking an amendment to one or more currently existing incentives included as part of*
 4356 *the incentive package;*

4357 *2. One of the proposed incentives includes a cash payment to a private sector business of more than \$3.5*
 4358 *million from any fund before any performance metrics are met by the proposed project; or*

4359 *3. The aggregate amount of incentives provided by the Commonwealth in the incentive package, including*
 4360 *discretionary grants, general or nongeneral funds, proceeds from bonds, rights to lease property at below*
 4361 *fair market value, or any other incentives from the Commonwealth, is in excess of \$10 million in value.*

4362 *Except for the value of any sales tax exemption available pursuant to subdivision 18 of § 58.1-609.3 or tax*
 4363 *credit available pursuant to § 58.1-439.12:03, the value of any existing nondiscretionary incentives shall not*
 4364 *be considered in calculating whether the incentives are in excess of \$10 million in value, and no review shall*
 4365 *be required for a project if the only incentives to be provided to a potential project are nondiscretionary*
 4366 *incentives.*

4367 **§ 30.1-1420. Membership.**

4368 *The Commission shall have a total membership of 14 members that shall include 12 legislative members*
 4369 *and two ex officio members. Members shall be appointed as follows:*

4370 *1. Seven members of the House Committee on Appropriations or the House Committee on Finance to be*
 4371 *appointed by the Chair of the House Committee on Appropriations; and*

4372 *2. Five members of the Senate Committee on Finance and Appropriations to be appointed by the Chair of*
 4373 *the Senate Committee on Finance and Appropriations.*

4374 *The Secretaries of Finance and Commerce and Trade shall serve ex officio with nonvoting privileges.*

4375 **§ 30.1-1421. Review of incentive packages.**

4376 *A. In addition to reviewing certain incentive packages pursuant to § 30.1-1419, the Commission shall*
 4377 *review economic development projects in which a business relocates or expands its operations in one or*
 4378 *more localities in the Commonwealth and simultaneously closes its operations or substantially reduces the*
 4379 *number of its employees in another locality in the Commonwealth if the aggregate amount of incentives to be*
 4380 *provided by the Commonwealth in the incentive package, including discretionary grants, general or*
 4381 *nongeneral funds, proceeds from bonds, rights to lease property at below fair market value, or any other*
 4382 *incentives from the Commonwealth, is in excess of \$2.5 million in value. The Commission shall review such*
 4383 *packages and projects and recommend approval or denial of such packages and projects to the General*
 4384 *Assembly. Factors to be considered by the Commission in its review shall include the following:*

4385 *1. Return on investment;*

4386 *2. The time frame for repayment of incentives to the Commonwealth;*

4387 *3. Average wages of the jobs created by the prospective MEI project or other economic development*
 4388 *project;*

4389 *4. The amount of capital investment that is required; and*

4390 *5. The need for enhanced employment opportunities in the prospective location of the prospective MEI*
 4391 *project or other economic development project.*

4392 *B. Anytime a proposed individual incentive package is considered by the Commission, materials outlining*
 4393 *the following information shall be provided to the staff of the House Committee on Appropriations and*
 4394 *Senate Committee on Finance and Appropriations not less than five business days prior to the scheduled*
 4395 *Commission meeting:*

4396 *1. The value of the proposed incentives;*

4397 *2. The assumed return on investment;*

4398 *3. The time frame for repayment of incentives to the Commonwealth;*

4399 4. *The average wages of the jobs created by the prospective economic development, film, or episodic*
4400 *television project;*
4401 5. *The amount of capital investment that is required;*
4402 6. *The need for enhanced employment opportunities in the prospective location of the prospective*
4403 *economic development, film, or episodic television project;*
4404 7. *The total amount of state incentives received by the sponsor of the economic development, film, or*
4405 *episodic television project in the past; and*
4406 8. *A list of all other existing, nondiscretionary incentives for which the sponsor of the economic*
4407 *development, film, or episodic television project may qualify.*

4408 *Staff shall also be provided with an aggregate list of all discretionary incentives currently committed by*
4409 *the Commonwealth for the next 10 years, including anticipated requests for appropriations to satisfy such*
4410 *commitments during that time.*

4411 *C. The timing of any request for an endorsement of a proposed individual incentive package should be*
4412 *scheduled to permit the Commission, at its discretion, to have up to seven days after the presentation of the*
4413 *incentive package prior to endorsing or rejecting such proposal.*

4414 *D. State agencies, localities, authorities, or other political subdivisions of the Commonwealth that have*
4415 *significant involvement in a proposed individual incentive package in terms of providing facilities or*
4416 *regulatory support to a project or in developing the proposed individual incentive package shall review the*
4417 *materials required by subsection B and certify the accuracy of such materials prior to consideration by the*
4418 *Commission.*

4419 *E. An affirmative vote by four of the seven members of the Commission from the House of Delegates and*
4420 *three of the five members of the Commission from the Senate is required to endorse any incentive package,*
4421 *including packages described in § 30.1-1419. Such vote shall also be required to endorse any economic*
4422 *development project in which a business relocates or expands its operations in one or more localities in the*
4423 *Commonwealth and simultaneously closes its operations or substantially reduces the number of its employees*
4424 *in another locality in the Commonwealth if the aggregate amount of incentives to be provided by the*
4425 *Commonwealth in the incentive package, including discretionary grants, general or nongeneral funds,*
4426 *proceeds from bonds, rights to lease property at below fair market value, or any other incentives from the*
4427 *Commonwealth, is in excess of \$2.5 million in value. However, no vote shall be required for a project if the*
4428 *only incentives to be provided to a potential project are nondiscretionary incentives available to any*
4429 *qualified taxpayer under existing law.*

4430 **§ 30.1-1422. Review of tax financing projects.**

4431 *In addition to the required review of certain incentive packages pursuant to §§ 30.1-1419 and 30.1-1421,*
4432 *the Commission may, in its discretion, review potential economic development projects presented by private*
4433 *sector businesses or state authorities that would be financed through entitlements to sales taxes or through*
4434 *personal or corporate income tax incentives or modifications. The Commission is not required to endorse or*
4435 *recommend any such project but may include recommendations in its annual report prepared pursuant to*
4436 *§ 30.1-1424.*

4437 **§ 30.1-1423. Staffing.**

4438 *The staffs of the House Committee on Appropriations and the Senate Committee on Finance and*
4439 *Appropriations shall provide administrative staff support. The Auditor of Public Accounts, Division of*
4440 *Legislative Services, Virginia Economic Development Partnership Authority, and Virginia Public Building*
4441 *Authority shall provide additional assistance as requested by the Commission.*

4442 **§ 30.1-1424. Commission report to General Assembly.**

4443 *A. In lieu of the report required by § 30.1-1107, the chair of the Commission shall report annually by the*
4444 *first day of each regular session of the General Assembly on all endorsed incentive packages for which an*
4445 *offer has been made and publicly announced. Staff identified in § 30.1-1423 shall assist the Commission in*
4446 *preparing such report, which shall contain the following information: (i) the industrial sector of the MEI*
4447 *project or other economic development project, (ii) known competitor states, (iii) employment creation and*
4448 *capital investment expectations, (iv) anticipated average annual wage of the new jobs, (v) local and state*
4449 *returns on investment as prepared by the Virginia Economic Development Partnership Authority, (vi)*
4450 *expected time frame for repayment of the incentives to the Commonwealth in the form of direct and indirect*
4451 *general tax revenues, (vii) details of the proposed incentive package, including the breakdown of the*
4452 *components into various uses and an expected timeline for payments, and (viii) draft legislation or*
4453 *amendments to the general appropriation act that propose financing for the endorsed incentive package*
4454 *through the Virginia Public Building Authority or any other proposed funding or financing mechanisms.*

4455 *B. To assist in the preparation of such report, the draft legislation or amendments referred to in clause*
4456 *(viii) of subsection A shall be submitted to the staffs of the House Committee on Appropriations and the*
4457 *Senate Committee on Finance and Appropriations no later than December 15 each year.*

4458 Article 6.

4459 Joint Subcommittee to Evaluate Tax Preferences.

4460 **§ 30.1-1425. Joint Subcommittee to Evaluate Tax Preferences; purpose.**

4523 *Committee on Finance and Appropriations to be appointed by the Senate Committee on Rules.*

4524 *The Secretary of Health and Human Resources and the Commissioner of Insurance or their designees*
4525 *shall serve ex officio with nonvoting privileges.*

4526 **§ 30.1-1432. Powers and duties of the Commission.**

4527 *The Commission shall have the following powers and duties:*

4528 *1. Monitor the work of appropriate federal and state agencies in implementing the provisions of the Act,*
4529 *including any adopted amendments and regulations;*

4530 *2. Receive information provided to the Commission pursuant to § 30.1-1433 and, on the basis of such*
4531 *information, assess the implications of the Act's implementation on residents of the Commonwealth,*
4532 *businesses operating within the Commonwealth, and the general fund of the Commonwealth;*

4533 *3. Consider the development of a comprehensive strategy for implementing health reform in the*
4534 *Commonwealth, including recommendations for innovative health care solutions independent of the*
4535 *approach embodied in the Act that meet the needs of the Commonwealth's citizens and government by*
4536 *creating an improved health system that will serve as an economic driver for the Commonwealth while*
4537 *allowing for more effective and efficient delivery of high-quality care at lower cost;*

4538 *4. Receive periodic reports from the Bureau pursuant to § 30.1-1433 and recommend, in accordance with*
4539 *the provisions of § 30.1-1434, health benefits required to be included within the scope of the essential health*
4540 *benefits provided under health insurance products offered in the Commonwealth, including any benefits that*
4541 *are not required to be provided by the terms of the Act;*

4542 *5. Upon request of the Chair of the House Committee on Labor and Commerce or Senate Committee on*
4543 *Commerce and Labor, assess proposed mandated health insurance benefits and providers as provided in*
4544 *§ 30.1-1433 and recommend whether, on the basis of such assessments, mandated health insurance benefits*
4545 *and providers be providers under health care plans offered through a health benefit exchange, outside a*
4546 *health benefit exchange, neither, or both;*

4547 *6. Conduct other studies of mandated health insurance benefits and provider issues as requested by the*
4548 *General Assembly;*

4549 *7. Develop such recommendations as may be appropriate for legislative and administrative consideration*
4550 *in order to increase access to health insurance coverage, ensure that the costs to business and individual*
4551 *purchasers of health insurance coverage are reasonable, and encourage a robust market for health insurance*
4552 *products in the Commonwealth; and*

4553 *8. Submit reports pursuant to § 30.1-1107.*

4554 **§ 30.1-1433. Standing committees to request Commission assessment.**

4555 *A. Whenever a legislative measure containing a mandated health insurance benefit or provider is*
4556 *proposed that is not identical or substantially similar to a legislative measure previously reviewed by the*
4557 *Commission within the three-year period immediately preceding the then-current session of the General*
4558 *Assembly, the Chair of the House Committee on Labor and Commerce or Senate Committee on Commerce*
4559 *and Labor having jurisdiction over the proposal shall (i) request that the Commission assess the proposal*
4560 *and (ii) send a copy of such request to the Bureau. The Commission shall be given a period of 24 months to*
4561 *complete and submit its assessment on each such request. A report summarizing the Commission's*
4562 *assessment shall be forwarded to the chair of the standing committee that requested the assessment.*

4563 *B. Upon receipt of a copy of a request pursuant to subsection A, the Bureau shall prepare an analysis of*
4564 *the extent to which the proposed mandate is currently available under qualified health plans in the*
4565 *Commonwealth and advise the Commission as to whether the applicable agency has determined or would*
4566 *likely determine, in accordance with applicable federal rules, that the proposed mandate exceeds the scope of*
4567 *the essential health benefits. The Bureau's analysis shall be advisory only and not binding upon the*
4568 *Commission, the Bureau, the State Corporation Commission, or any other parties. If the applicable federal*
4569 *rules require an agency of the Commonwealth to identify the state-mandated benefits that are in addition to*
4570 *the essential health benefits but do not identify a specific agency that is responsible for making such*
4571 *identification, the Bureau shall be the applicable agency. Following the Bureau's analysis, the Commission*
4572 *shall determine if the proposed mandate shall be (i) considered as part of an essential health benefits*
4573 *benchmark plan review in accordance with the provisions of § 30.1-1434, (ii) assessed jointly by the Bureau*
4574 *and the Joint Commission on Health Care in accordance with subsection C, or (iii) considered in another*
4575 *manner by the Commission.*

4576 *C. Upon request of the Commission, the Bureau and the Joint Commission on Health Care shall jointly*
4577 *assess the social and financial impact and the medical efficacy of the proposed mandated health insurance*
4578 *benefit or provider. The assessment shall include an estimate of the effects of enactment of the proposed*
4579 *mandate on the costs of health coverage in the Commonwealth, including any estimated additional costs that*
4580 *the Commonwealth may be responsible for pursuant to § 1311(d)(3)(B) of the Act should the proposed*
4581 *mandate ultimately be determined by the applicable agency to be a benefit that exceeds the scope of the*
4582 *essential health benefits. Upon completion of such assessment by the Bureau and the Joint Commission on*
4583 *Health Care, the Commission may make a recommendation regarding its support of or opposition to the*
4584 *enactment of the proposed mandate. The Commission's recommendation may address whether the proposed*

4585 mandate should be provided under health care plans offered through a health benefit exchange or outside a
 4586 health benefit exchange.

4587 The Commission shall be given a period of 24 months to complete and submit its assessment on each such
 4588 request. A report summarizing the Commission's study shall be forwarded to the General Assembly and the
 4589 Governor.

4590 D. Whenever a legislative measure containing a mandated health insurance benefit or provider is
 4591 identical or substantially similar to a legislative measure previously reviewed by the Commission within the
 4592 three-year period immediately preceding the then-current session of the General Assembly, the standing
 4593 committee may request the Commission to study the measure as provided in subsection A.

4594 **§ 30.1-1434. Review of essential health benefits benchmark plan.**

4595 A. The Commission, in coordination with the Bureau, shall conduct a review of the essential health
 4596 benefits benchmark plan in 2025 and every five years thereafter in accordance with 45 C.F.R. § 156.111 and
 4597 this article.

4598 B. Prior to any review year, the Bureau shall convene a work group of relevant stakeholders to discuss
 4599 and make recommendations regarding any potential changes to the benchmark plan. Members of the work
 4600 group shall possess demonstrated and acknowledged expertise in health benefit plan design, actuarial
 4601 science, population health, patient advocacy, or advocating for or assisting enrollees in individual or small
 4602 group health coverage. Factors the work group shall consider include (i) coverage denial rates of benefits
 4603 that are not covered under the current benchmark plan; (ii) the utilization of mandated benefits; (iii) the
 4604 projected impact of a proposed mandate on the prevalence of medical need, the urgency of such medical
 4605 need, and any disproportionate disease burden borne by different subpopulations; (iv) the projected cost of
 4606 each proposed mandate; and (v) other data as determined by the work group. Additionally, for any referred
 4607 legislation the Commission chooses to be considered in the benchmark plan review, the Bureau shall
 4608 complete an assessment of such legislation that includes an estimate of the effects of including the proposed
 4609 mandate as part of the benchmark plan on the costs of health coverage in the Commonwealth. The Bureau
 4610 shall submit the findings and any recommendations of the work group and any assessments of proposed
 4611 mandates to the Commission by March 31 of the review year.

4612 C. By June 30 of any review year, the Commission shall determine if an application will be made for a
 4613 change to the benchmark plan and shall identify any potential benefit changes to the benchmark plan for
 4614 further analysis. In making its determination and identifying any potential benefit changes, the Commission
 4615 may consider (i) the findings and recommendations of the work group, (ii) any referred legislation the
 4616 Commission chooses to be considered in the benchmark plan review and the Bureau's assessment of such
 4617 legislation, and (iii) public comment. If the Commission determines that an application will be made for a
 4618 change to the benchmark plan, the Commission shall identify any potential benefit changes for further
 4619 analysis.

4620 D. The Bureau shall conduct an actuarial analysis of any benefit changes identified by the Commission
 4621 and present such analysis to the Commission by September 30 of such review year.

4622 E. By December 31 of any review year, the Commission shall determine which, if any, potential benefit
 4623 changes shall be included in a new benchmark plan. The Commission shall make a recommendation to the
 4624 General Assembly in the form of a bill that directs the Bureau to select a new benchmark plan that includes
 4625 any such changes at the next regular session of the General Assembly.

4626 F. During the review year, the Commission shall conduct public hearings to solicit feedback from
 4627 consumers and other interested parties regarding any potential benefit changes to the benchmark plan. At
 4628 least two public hearings shall be held prior to the Commission's determination required by subsection C. If
 4629 the Commission has determined that an application for a new benchmark plan will be made for a change to
 4630 the benchmark plan, at least two additional public hearings shall be held prior to selection of a new
 4631 benchmark plan required by subsection E. Such hearings shall be adequately advertised and planned and
 4632 shall include an opportunity for the public to participate both in person and remotely.

4633 G. The Bureau shall establish and maintain a website to convey relevant information to the public related
 4634 to any benchmark plan review.

4635 **§ 30.1-1435. Staffing.**

4636 The Office of the Clerk of the chair of the Commission shall provide administrative staff support. The
 4637 Division of Legislative Services shall provide legal and legislative research and analysis as requested by the
 4638 Commission. The Bureau and such other state agencies as may be considered appropriate by the Commission
 4639 shall provide staff assistance to the Commission.

4640 **Article 8.**

4641 **Intercollegiate Athletics Review Commission.**

4642 **§ 30.1-1436. Intercollegiate Athletics Review Commission; purpose.**

4643 The Intercollegiate Athletics Review Commission (the Commission) is established in the legislative branch
 4644 of state government. The purpose of the Commission is to review the plan and financing recommendations of
 4645 the board of visitors of any public institution of higher education in the Commonwealth relating to the
 4646 institution adding a major intercollegiate athletics program such as football or basketball or changing the

4647 *division level of any of its existing intercollegiate athletics programs as set forth in subsection I of*
4648 *§ 23.1-1309.*

4649 **§ 30.1-1437. Membership.**

4650 *The Commission shall have a total membership of 11 members that shall include seven legislative*
4651 *members and four ex officio members. Members shall be appointed as follows:*

4652 *1. The Chair of the House Committee on Appropriations or his designee and three members of the House*
4653 *Committee on Appropriations to be appointed by the Chair; and*

4654 *2. The Chair of the Senate Committee on Finance and Appropriations or his designee and two members of*
4655 *the Senate Committee on Finance and Appropriations to be appointed by the Chair.*

4656 *The Auditor of Public Accounts, the Secretary of Education, the Secretary of Finance, and the Executive*
4657 *Director of the State Council of Higher Education for Virginia shall serve ex officio with nonvoting*
4658 *privileges.*

4659 **§ 30.1-1438. Powers and duties of the Commission.**

4660 *A. The Commission shall have the following powers and duties:*

4661 *1. Review plans and financing recommendations from the board of visitors of any public institution of*
4662 *higher education in the Commonwealth to add a major intercollegiate athletics program or change the*
4663 *division level of an existing intercollegiate athletics program; and*

4664 *2. Provide findings and recommendations to such public institution of higher education as provided in*
4665 *this section.*

4666 *B. Within two business days of receipt of a plan and financing recommendations for changing the division*
4667 *level of any existing intercollegiate athletics program pursuant to subsection I of § 23.1-1309, the*
4668 *Commission shall review the plan and notify the board of visitors of the public institution of higher education*
4669 *of its findings and recommendations.*

4670 *C. Within 45 business days of receipt of a plan and financing recommendations for adding a major*
4671 *intercollegiate athletics program such as football or basketball pursuant to subsection I of § 23.1-1309, the*
4672 *Commission shall review the plan and notify the board of visitors of the public institution of higher education*
4673 *of its findings and recommendations.*

4674 *D. Findings and recommendations of the Commission may relate to (i) the potential financial impact of*
4675 *the addition of a major intercollegiate athletics program or a change in the division level of an existing*
4676 *intercollegiate athletics program upon the Commonwealth and students; (ii) the potential impact on the*
4677 *subsidy percentage, as that term is defined in § 23.1-1309; or (iii) the policy aspects of such an addition or*
4678 *change. Review by the Commission shall not be construed to constitute approval of any appropriation*
4679 *necessary to implement any portion of the plan.*

4680 *E. Findings and recommendations of the Commission shall require an affirmative vote by three of the four*
4681 *members from the House Committee on Appropriations and two of the three members from the Senate*
4682 *Committee on Finance and Appropriations.*

4683 *F. The Commission is exempt from the reporting requirement established in § 30.1-1107.*

4684 **§ 30.1-1439. Staffing.**

4685 *The staffs of the House Committee on Appropriations and the Senate Committee on Finance and*
4686 *Appropriations shall provide administrative staff support. The State Council of Higher Education for*
4687 *Virginia shall provide assistance as requested by the Commission.*

4688 **CHAPTER 15.**

4689 **COMMEMORATIVE, EDUCATIONAL, AND MEMORIAL ENTITIES.**

4690 **Article 1.**

4691 *Dr. Martin Luther King, Jr. Memorial Commission.*

4692 **§ 30.1-1500. Dr. Martin Luther King, Jr. Memorial Commission; purpose.**

4693 *The Dr. Martin Luther King, Jr. Memorial Commission (the Commission) is established in the legislative*
4694 *branch of state government. The purpose of the Commission is to (i) promote the legacy and continuation of*
4695 *the work of Dr. Martin Luther King, Jr., particularly racial, economic, and social justice, academic*
4696 *scholarship, and community service; (ii) coordinate and lead year-round educational and commemorative*
4697 *activities throughout the Commonwealth that inform the public of his principles, achievements, and*
4698 *contributions, giving special emphasis to his career as a scholar, author, orator, community leader,*
4699 *conciliator, and theologian and to the federal and state Dr. Martin Luther King, Jr. Holiday; (iii) facilitate*
4700 *public policy analysis relative to his principles and teachings; (iv) foster an appreciation of diverse cultures,*
4701 *particularly minority populations within the Commonwealth; and (v) provide opportunities for public*
4702 *discourse on contemporary issues.*

4703 **§ 30.1-1501. Membership.**

4704 *The Commission shall have a total membership of 18 members that shall include 10 legislative members,*
4705 *six nonlegislative citizen members, and two ex officio members. Members shall be appointed as follows:*

4706 *1. Six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in*
4707 *accordance with the principles of proportional representation contained in the Rules of the House of*
4708 *Delegates;*

4709 2. *Four members of the Senate to be appointed by the Senate Committee on Rules;*
 4710 3. *Three nonlegislative citizen members to be appointed by the Speaker of the House of Delegates; and*
 4711 4. *Three nonlegislative citizen members, of whom one shall be a representative of the Southern Christian
 4712 Leadership Conference of Virginia, to be appointed by the Senate Committee on Rules.*
 4713 *The Executive Director of Living the Dream and the Executive Director of Virginia Humanities shall
 4714 serve ex officio.*

4715 *The Senate Committee on Rules and the Speaker of the House of Delegates shall ensure, to the extent
 4716 possible, that their respective appointments to the Commission reflect the demographic population of the
 4717 Commonwealth.*

§ 30.1-1502. Powers and duties of the Commission; meetings.

4719 *A. The Commission shall have the following powers and duties:*

4720 1. *Identify, plan, develop, and implement appropriate programs and events that further the philosophy
 4721 and memory of Dr. Martin Luther King, Jr.;*

4722 2. *Monitor the educational goals, programs, and objectives of public and private schools to encourage the
 4723 recognition and inclusion of the achievements and contributions of ethnic and minority groups;*

4724 3. *Inventory and review, biennially, activities and events sponsored by localities in the Commonwealth
 4725 and those instituted or offered by public and private schools or institutions of higher education designed to
 4726 honor Dr. King's memory;*

4727 4. *Facilitate the analysis of public policy relative to Dr. King's principles and philosophy, including his
 4728 work pertaining to social and economic justice, ethics, and racial equality, and promote the appreciation of
 4729 diverse cultures among the citizenry;*

4730 5. *Collaborate with The King Center in Atlanta and other established state and local entities and
 4731 community organizations in activities and events that commemorate the birth and death of Dr. King and in
 4732 initiatives designed to perpetuate his work and legacy;*

4733 6. *Establish a memorial to honor Dr. King in which (i) records, oral histories, and memorabilia
 4734 documenting his relationship with and impact on the Commonwealth may be acquired and preserved; (ii)
 4735 information concerning his life, work, teachings, writings, and philosophy may be collected, preserved, and
 4736 accessed for educational and cultural purposes; and (iii) scholarly inquiry and writing, undergraduate and
 4737 graduate study, and policy analysis may be conducted;*

4738 7. *Encourage and support collaborative activities among state, local, and national organizations that (i)
 4739 emphasize the noncommercialization of the state and federal Dr. Martin Luther King, Jr. Holiday; (ii)
 4740 present Dr. King's life and achievements in historical context; (iii) articulate the relationship between his
 4741 philosophy, contributions, and current public policies; and (iv) demonstrate his principles consistently
 4742 through significant participation of persons of diverse racial, ethnic, and cultural backgrounds in public and
 4743 private endeavors and enterprises;*

4744 8. *Monitor and evaluate state, local, and national public policy relative to the principles and philosophy
 4745 of Dr. King and make appropriate recommendations to the General Assembly and the Governor to maintain
 4746 progress toward social and economic justice and equal opportunity for all citizens;*

4747 9. *Seek, receive, and expend gifts, donations, grants, bequests, or other funds from any source to support
 4748 the work of the Commission and facilitate the objectives of this article;*

4749 10. *Seek, accept, and direct the expenditure of public and private contributions to carry out the
 4750 Commission's purpose and enhance its fiscal stability, financial management, and fundraising abilities;*

4751 11. *Submit reports pursuant to § 30.1-1107; and*

4752 12. *Perform such other duties, functions, and activities as may be necessary to facilitate and implement
 4753 the objectives of this article.*

4754 *B. The Commission shall meet no more than four times each year.*

§ 30.1-1503. Staffing.

4756 *The Office of the Clerk of the chair of the Commission shall provide administrative staff support. The
 4757 Division of Legislative Services shall provide legal and legislative research and analysis as requested by the
 4758 Commission.*

§ 30.1-1504. Dr. Martin Luther King, Jr. Commission Fund established.

4760 *There is created in the state treasury a special nonreverting fund to be known as the Dr. Martin Luther
 4761 King, Jr. Commission Fund (the Fund). The Fund shall be established on the books of the Comptroller. All
 4762 moneys, including gifts, donations, grants, bequests, and other funds from any source, shall be paid into the
 4763 state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in and be
 4764 credited to the Fund. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal
 4765 year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used
 4766 solely for the purposes of supporting the Commission's work and as seed money to generate additional funds.
 4767 Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by
 4768 the Comptroller upon written request signed by the chair, upon the approval of a majority of the members of
 4769 the Commission.*

4770

4771 *Brown v. Board of Education Scholarship Program and Fund.*

§ 30.1-1505. Definitions.

As used in this article, unless the context requires a different meaning:

4774 "Accredited career and technical education postsecondary school" means (i) a privately owned and
4775 managed academic-vocational non-college degree school, non-college degree school, postsecondary school,
4776 or vocational non-college degree school, as such terms are defined in § 23.1-213; (ii) formed, incorporated,
4777 or chartered within the Commonwealth and whose administrative office and principal campus is located in
4778 the Commonwealth; (iii) accredited by a national or regional organization or agency recognized by the U.S.
4779 Secretary of Education for accrediting purposes; and (iv) certified by the State Council of Higher Education
4780 for Virginia to award certificates and diplomas or to confer degrees, pursuant to § 23.1-219.

4781 "Approved education program" means an educational agency or transition program or services accepted
4782 for participation in the Program by the Committee.

4783 "College-Level Examination Program" or "CLEP" means a program consisting of a series of general and
4784 subject examinations in undergraduate college courses that measures an individual's college-level knowledge
4785 gained through coursework, independent study, cultural pursuits, travel, special interests, military service,
4786 and professional development for the purpose of earning college credit.

"Committee" means the Brown v. Board of Education Scholarship Committee.

4788 *"Dual enrollment" means the concurrent enrollment of a scholarship recipient in an adult education*
4789 *program for the high school diploma and a public or private accredited two-year or four-year institution of*
4790 *higher education in the Commonwealth.*

4791 "Educational agency" means any (i) public school in the Commonwealth, (ii) public or private accredited
4792 two-year or four-year institution of higher education in the Commonwealth that is in compliance with the
4793 Southern Association of Colleges and Schools Commission on Colleges accreditation standards for
4794 institutions and academic programs or other national or regional organization or agency recognized by the
4795 U.S. Secretary of Education for accrediting purposes, (iii) high school equivalency preparation program in
4796 compliance with Board of Education guidelines, (iv) College-Level Examination Program in compliance with
4797 the requirements of the College Board governing college-level examination programs, or (v) accredited
4798 career and technical education postsecondary school in the Commonwealth, that accepts for scholarship
4799 recipients under the Program.

4800 "Eligible student" means a person who resided in a jurisdiction in the Commonwealth between 1954 and
4801 1964 in which the public schools were closed to avoid desegregation and who (i) was unable during such
4802 years to (a) begin, continue, or complete his education in the public schools of the Commonwealth; (b) attend
4803 a private academy or foundation, whether within or outside of the Commonwealth, established to circumvent
4804 desegregation; or (c) pursue postsecondary education opportunities or training because of the inability to
4805 obtain a high school diploma or (ii) was required to relocate within or outside of the Commonwealth to
4806 begin, continue, or complete his public education during such years because public schools were closed to
4807 avoid desegregation. "Eligible student" also means a lineal or collateral descendant of such person. "Eligible
4808 student" includes only persons currently domiciled and residing in the Commonwealth.

"Fund" means the *Brown v. Board of Education Scholarship Program Fund*.

4810 "Graduate degree program" means an accredited academic program of study offered by an institution of
4811 higher education in the Commonwealth that has been accepted for participation in the Program by the
4812 Committee to which scholarship recipients are accepted for admission and for which successful completion
4813 of the academic program culminates in the awarding of the masters or doctoral degree.

4814 "High school equivalency preparation program" means a program of preparation and instruction for
4815 adults who did not complete high school, and for youth who have been granted permission by the division
4816 superintendent of the school in which they are enrolled, to take a high school equivalency examination
4817 approved by the Board of Education.

4818 "Professional degree program" means an accredited graduate level program of study offered by an
4819 institution of higher education in the Commonwealth that has been accepted for participation in the Program
4820 by the Committee to which scholarship recipients are accepted for admission and successful completion of
4821 the academic program culminates in the award of a degree in medicine, dentistry, nursing, law, pharmacy,
4822 optometry, engineering, architecture, veterinary medicine, or other discipline approved by the Committee.

"Program" means the Brown v. Board of Education Scholarship Program.

4824 "Transition program and services" means individualized instruction or a compensatory education
4825 program designed to provide remediation, acceleration, or fundamental basic life skills to assist scholarship
4826 recipients in overcoming learning problems or to prepare such persons for academic success in an approved
4827 education program.

§ 30.1-1506. *Brown v. Board of Education* Scholarship Program; purpose.

4829 *The Brown v. Board of Education Scholarship Program is established for the purpose of assisting*
4830 *students who were enrolled in the public schools of the Commonwealth between 1954 and 1964 in*
4831 *jurisdictions in which the public schools were closed to avoid desegregation, and their lineal or collateral*
4832 *descendants, in obtaining any of the following: the adult high school diploma; a passing score on a high*

4833 school equivalency examination approved by the Board of Education; CLEP credit; career or technical
 4834 education or training in an approved program at a comprehensive community college or at an accredited
 4835 career and technical education postsecondary school in the Commonwealth; an undergraduate degree from
 4836 an accredited associate-degree-granting or baccalaureate (i) private institution of higher education or (ii)
 4837 public institution of higher education; a graduate degree at the masters or doctoral level; or a professional
 4838 degree from an accredited baccalaureate private institution of higher education in the Commonwealth or
 4839 baccalaureate public institution of higher education in the Commonwealth.

4840 § 30.1-1507. Brown v. Board of Education Scholarship Committee; purpose.

4841 The Brown v. Board of Education Scholarship Committee is established in the legislative branch of state
 4842 government. The purpose of the Committee is to evaluate applications for and select eligible students to
 4843 receive scholarships under the Program.

4844 § 30.1-1508. Membership.

4845 The Committee shall have a total membership of 11 members that shall include six legislative members
 4846 and five nonlegislative citizen members. Members shall be appointed as follows:

4847 1. Four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in
 4848 accordance with the principles of proportional representation contained in the Rules of the House of
 4849 Delegates;

4850 2. Two members of the Senate to be appointed by the Senate Committee on Rules; and

4851 3. Five nonlegislative citizen members, of whom one shall represent college admissions personnel, one
 4852 shall have expertise in academic and career counseling, and three shall represent residents of the affected
 4853 jurisdictions, to be appointed by the Governor.

4854 § 30.1-1509. Powers and duties of the Committee; meetings.

4855 A. The Committee shall have the following powers and duties:

4856 1. Establish criteria for the awarding of scholarships, including eligibility for and renewal of
 4857 scholarships; evidence of satisfactory academic achievement in accordance with § 30.1-1511; terms and
 4858 conditions of scholarships awarded pursuant to § 30.1-1512; cancellation, rescindment, and recovery of
 4859 scholarship awards; and conditions for which repayment of scholarships, or any part thereof, may be
 4860 required;

4861 2. Evaluate applications for and select recipients of scholarships under the Program;

4862 3. Establish standards and determine approved education programs to ensure that the Program is
 4863 implemented and administered in a manner that preserves the purpose for which it was created;

4864 4. Establish, revise as necessary, and implement policies and standards to govern all aspects of the
 4865 Program;

4866 5. Confer with the Board of Education, Virginia Community College System, State Council of Higher
 4867 Education for Virginia, and Private College Advisory Board to the State Council of Higher Education for
 4868 Virginia to establish a protocol to facilitate (i) the dual enrollment of eligible students in two-year and four-
 4869 year degree programs and (ii) the conventional enrollment of eligible students in public and private two-year
 4870 and four-year accredited institutions of higher education;

4871 6. Develop and implement a system to provide individualized transition programs and services, including
 4872 remediation, acceleration, and fundamental basic life skills, designed to prepare eligible students for
 4873 academic success in the preparation program for a high school equivalency examination approved by the
 4874 Board of Education; earning college credit through CLEP examinations; adult basic education programs;
 4875 and two-year, four-year, graduate, and professional degree programs;

4876 7. Determine annually the sum of any gifts, grants, donations, bequests, or other funds in the Fund, set the
 4877 annual maximum scholarship award, and determine the maximum number of scholarships that may be
 4878 awarded each year;

4879 8. Seek, receive, and expend gifts, grants, donations, bequests, or other funds from any source on behalf of
 4880 the Program for its support and to facilitate its purpose;

4881 9. Make awards of the Program annually to eligible students selected by the Committee;

4882 10. Submit reports pursuant to § 30.1-1107; and

4883 11. Perform such other duties, functions, and activities as may be necessary to facilitate and implement
 4884 the objectives of this article.

4885 B. The Committee shall meet no more than four times each year.

4886 § 30.1-1510. Staffing.

4887 The Office of the Clerk of the chair of the Committee shall provide administrative staff support. The
 4888 Division of Legislative Services shall provide legal and legislative research and analysis as requested by the
 4889 Committee. The State Council of Higher Education for Virginia, consistent with its statutory responsibilities
 4890 for higher education in the Commonwealth, shall advise and provide technical assistance to the Committee in
 4891 the implementation and administration of the Program, in the manner as may be requested by the Committee.

4892 § 30.1-1511. Brown v. Board of Education Scholarship Program Fund.

4893 There is created in the state treasury a special nonreverting fund to be known as the Brown v. Board of
 4894 Education Scholarship Program Fund. The Fund shall be established on the books of the Comptroller and

4895 shall consist of gifts, grants, donations, bequests, or other funds from any source as may be received by the
4896 Program or the Committee on behalf of the Program. Moneys shall be paid into the state treasury and
4897 credited to the Fund. Interest earned on moneys in the Fund shall remain in and be credited to the Fund. Any
4898 moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the
4899 general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purpose of
4900 awarding scholarships to eligible students, pursuant to §§ 30.1-1512 and 30.1-1513. Expenditures and
4901 disbursements for scholarships to eligible students from the Fund shall be made by the State Treasurer on
4902 warrants issued by the Comptroller upon written request signed by the chair of the State Council of Higher
4903 Education for Virginia as directed by the Committee.

4904 **§ 30.1-1512. Criteria for awarding and renewal of scholarships by the Committee; eligibility; penalty.**

4905 A. Scholarships shall be awarded to eligible students annually by the Committee with the funds made
4906 available from gifts, grants, donations, bequests, and other funds as may be received for such purpose.

4907 B. Scholarships may be granted for part-time or full-time attendance and shall be limited to:

4908 1. One year of study for students enrolled in adult education programs for the high school diploma and
4909 preparation programs for a high school equivalency examination approved by the Board of Education or for
4910 CLEP credit; and

4911 2. No more than the minimum number of credit hours required to complete program requirements, except
4912 as approved by the Committee for students enrolled in the following approved education programs:

4913 a. An approved career or technical education or training program at a comprehensive community college,
4914 or at an accredited career and technical education postsecondary school in the Commonwealth;

4915 b. A two-year undergraduate comprehensive community college program;

4916 c. A four-year undergraduate degree program;

4917 d. A recognized five-year undergraduate degree program;

4918 e. A masters or doctoral level degree program; or

4919 f. A professional degree program.

4920 Scholarships granted may also be used for CLEP examinations and costs related to preparation for tests,
4921 transition programs and services, and dual enrollment programs as may be approved by the Committee, in
4922 accordance with § 30.1-1509.

4923 C. No scholarship under the Program shall be used to obtain multiple baccalaureate, masters, doctoral,
4924 or professional degrees.

4925 D. The Standards of Learning requirements and all related assessments shall be waived for any student
4926 awarded a scholarship under the Program and enrolled in an adult basic education program to obtain the
4927 high school diploma.

4928 E. No student pursuing a course of religious training or theological education or a student enrolled in any
4929 institution whose primary purpose is to provide religious training or theological education shall be eligible to
4930 receive a scholarship. However, nothing in this section shall be construed to prohibit a student from taking
4931 courses of a religious or theological nature to satisfy undergraduate and graduate elective requirements for a
4932 liberal arts nonreligious degree.

4933 F. Only students who are domiciled residents of the Commonwealth as defined by § 23.1-502 shall be
4934 eligible to receive scholarship awards. For purposes of this Program only, the Committee may establish a list
4935 of acceptable documents to verify United States citizenship and legal presence in the Commonwealth from
4936 among those included in regulations promulgated by the Department of Motor Vehicles governing legal
4937 presence in the Commonwealth to obtain a driver's license or identification card, and regulations
4938 promulgated by the State Department of Health governing requests for and access to vital records.

4939 G. Scholarships may be renewed annually upon request if the recipient:

4940 1. Maintains domicile and residency in the Commonwealth;

4941 2. Evidences satisfactory academic achievement and progress toward program completion; and

4942 3. Maintains continuous enrollment in an approved education program until graduation or program
4943 completion, in accordance with the provisions of this section and § 30.1-1506.

4944 For scholarship renewal purposes, the Committee may extend the period in which satisfactory academic
4945 achievement shall be demonstrated for no more than two semesters or the equivalent thereof.

4946 H. Any person who knowingly makes a false statement or conceals a material fact or otherwise commits a
4947 fraud in any application for a scholarship is guilty of a Class 3 misdemeanor.

4948 **§ 30.1-1513. Amount and use of scholarships; disbursement and recovery of scholarship funds; terms
4949 and conditions.**

4950 A. No scholarship awarded under the Program shall exceed the total annual costs of tuition, a book
4951 allowance, and fees assessed by the educational agency for the specific program in which the student is
4952 enrolled, as determined by the Committee.

4953 B. The full amount of each scholarship awarded to a recipient shall be used solely for the payment of
4954 tuition, a book allowance, and fees, or for a one-time only payment of the costs of a preparation program,
4955 instructional materials, and high school equivalency examinations approved by the Board of Education or
4956 CLEP examinations.

4957 *C. Awards granted to applicants accepted for enrollment at accredited career and technical education*
4958 *postsecondary schools shall be made in accordance with Article VIII, Section 11 of the Constitution of*
4959 *Virginia.*

D. Before any scholarship is awarded, the applicant shall sign an acceptance form affirming the accuracy of the information he has provided and agreeing to pursue the approved education program for which the scholarship is awarded until his graduation or the completion of the program, as appropriate. Following verification of enrollment by the relevant educational agency to the State Council of Higher Education for Virginia, educational agencies acting as agents for students receiving awards under this article shall promptly credit disbursed funds to student accounts.

4966 E. No scholarship award shall be reduced by the educational agency upon receipt of any other financial
4967 assistance on behalf of the student. However, the scholarship award may be reduced by the Committee to
4968 ensure that, when such award is added to other financial assistance, the award does not produce a total of
4969 financial assistance that exceeds the annual total costs of tuition, a book allowance, and fees. Every
4970 educational agency acting as an agent for students receiving awards under this article shall notify the
4971 Committee and the State Council of Higher Education for Virginia upon request concerning the type and
4972 total of other financial assistance received by such students.

4973 F. Every educational agency accepting for admission persons awarded a Brown v. Board of Education
4974 scholarship shall, upon request, provide the Committee information concerning the accreditation status of the
4975 school and academic programs offered and other relevant information as the Committee may require to
4976 evaluate the person's eligibility for the scholarship and to determine the eligibility of the educational agency
4977 for participation in the Program. Whenever a student withdraws from an educational agency or otherwise
4978 fails, regardless of reason, to complete the program in which he is enrolled, the educational agency shall
4979 surrender promptly to the Commonwealth the balance of the scholarship award, in accordance with the
4980 tuition refund policy in effect at the time of the student's admission to the educational agency.

G. This article shall not be construed as creating any legally enforceable right or entitlement on the part of any person or any right or entitlement to participation in the Program.

Article 3.

III. *State & Local* *Commission on Civic Education.*

§ 30.1-1514. Commission on Civic Education; purpose.

4986 The Commission on Civic Education (the Commission) is established in the legislative branch of state
4987 government. The purpose of the Commission is to (i) educate students on the importance of citizen
4988 involvement in a constitutional republic, (ii) promote the study of state and local government among the
4989 Commonwealth's citizenry, and (iii) enhance communication and collaboration among organizations in the
4990 Commonwealth that conduct civic education.

§ 30.1-1515. Membership.

4992 *The Commission shall have a total membership of 17 members that shall include five legislative members*
4993 *and 12 nonlegislative citizen members. Members shall be appointed as follows:*

4994 1. Three members of the House of Delegates to be appointed by the Speaker of the House of Delegates in
4995 accordance with the principles of proportional representation contained in the Rules of the House of
4996 Delegates;

4997 2. *Two members of the Senate to be appointed by the Senate Committee on Rules;*

4998 3. Six nonlegislative citizen members, of whom two shall be former or current government or civics
4999 teachers, one shall be a representative of an organization involved in civic engagement, one shall be a
5000 representative of an institution of political or civil engagement studies, one shall be a Department of
5001 Education social studies specialist, and one shall have the qualifications or experience as determined by the
5002 Speaker, to be appointed by the Speaker of the House of Delegates; and

5003 4. Six nonlegislative citizen members, of whom two shall be current or former social studies coordinators,
5004 one shall be a representative of a voter outreach organization, one shall be a member of the Virginia Press
5005 Association, one shall be a professor of social studies education, and one shall have the qualifications or
5006 experience as determined by the Senate Committee on Rules, to be appointed by the Senate Committee on
5007 Rules.

§ 30.1-1516. Powers and duties of the Commission.

5009 *The Commission shall have the following powers and duties:*

1. Develop and coordinate outreach programs in collaboration with schools to educate students on the importance of understanding that (i) a constitutional republic is a form of government dependent on reasoned debate and good-faith negotiation; (ii) individual involvement is a critical factor in community success; and (iii) consideration of and respect for others is essential to deliberating, negotiating, and advocating positions on public concerns;

5015 2. Identify civic education projects in the Commonwealth and provide technical assistance as needed for
5016 such programs;

5017 3. Build a network of civic education professionals to share information and strengthen partnerships;
5018 4. Develop, in consultation with entities represented on the Commission and others as determined by the

5019 *Commission, a clearinghouse that is accessible on the Department of Education's website. The electronic*
5020 *clearinghouse shall include (i) a database of civic education resources, lesson plans, and other programs of*
5021 *best practices in civic education; (ii) a bulletin board to promote discussion and exchange of ideas relative to*
5022 *civic education; (iii) an events calendar; and (iv) links to civic education research;*

5023 *5. Make recommendations to the Board of Education regarding revisions to the Standards of Learning for*
5024 *civics and government;*

5025 *6. Seek, receive, and expend gifts, grants, donations, bequests, or other funds from any source to support*
5026 *the work of the Commission and facilitate the objectives of this article; and*

5027 *7. Submit reports pursuant to § 30.1-1107.*

5028 **§ 30.1-1517. Staffing.**

5029 *The Office of the Clerk of the chair of the Commission shall provide administrative staff support. The*
5030 *Division of Legislative Services shall provide legal and legislative research and analysis as requested by the*
5031 *Commission. The Department of Education shall provide technical assistance.*

5032 **§ 30.1-1518. Commission on Civic Education Fund.**

5033 *There is created in the state treasury a special nonreverting fund to be known as the Commission on Civic*
5034 *Education Fund (the Fund). The Fund shall be established on the books of the Comptroller. All moneys,*
5035 *including gifts, grants, donations, bequests, or other funds from any source as may be received by the*
5036 *Commission, shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the*
5037 *Fund shall remain in and be credited to the Fund. Any moneys remaining in the Fund, including interest*
5038 *thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund.*
5039 *Moneys in the Fund shall be used for the purpose of enabling the Commission to perform its duties.*
5040 *Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by*
5041 *the Comptroller upon written request signed by the chair of the Commission.*

5042 **Article 4.**

5043 **American Revolution 250 Commission.**

5044 **§ 30.1-1519. (Expires July 1, 2032) American Revolution 250 Commission; purpose.**

5045 *The American Revolution 250 Commission (the Commission) is established in the legislative branch of*
5046 *state government. The purpose of the Commission is to commemorate the 250th anniversary of the American*
5047 *Revolution, the Revolutionary War, and the independence of the United States.*

5048 **§ 30.1-1520. (Expires July 1, 2032) Membership; terms; chair and vice-chair.**

5049 *A. The Commission shall have a total membership of at least 27 but no more than 31 members that shall*
5050 *include five legislative members, 17 nonlegislative citizen members, and at least five but no more than nine ex*
5051 *officio members. Members shall be appointed as follows:*

5052 *1. Three members of the House of Delegates to be appointed by the Speaker of the House of Delegates in*
5053 *accordance with the principles of proportional representation contained in the Rules of the House of*
5054 *Delegates;*

5055 *2. Two members of the Senate to be appointed by the Senate Committee on Rules;*

5056 *3. Three nonlegislative citizen members, consisting of one representative from each of the lead*
5057 *commemoration partners: the Jamestown-Yorktown Foundation, the primary state agency; the Virginia*
5058 *Museum of History & Culture, the primary nonstate agency; and Gunston Hall, the primary representative of*
5059 *historic homes and related sites in the Commonwealth;*

5060 *4. Two nonlegislative citizen members, of whom one shall be a representative from the American*
5061 *Battlefield Trust and one shall be a representative from the Virginia Bar Association, to be appointed by the*
5062 *represented organization; and*

5063 *5. Twelve nonlegislative citizen members, of whom six shall be selected from a list of 10 candidates*
5064 *provided by the Jamestown-Yorktown Foundation and six shall be selected from a list of 10 candidates*
5065 *provided by the Virginia Museum of History & Culture, to be appointed by the Governor.*

5066 *The chair and vice-chair of the Commission may appoint up to four members who are directors of historic*
5067 *homes, historic sites, or National Park Service sites in the Commonwealth. Such members shall serve ex*
5068 *officio.*

5069 *The chair and vice-chair of the Commission may appoint former legislative members of the Commission*
5070 *who have retired or resigned from the General Assembly. Such members shall serve ex officio.*

5071 *The Secretary of Education, the Librarian of Virginia, the Director of the Department of Historic*
5072 *Resources, the Executive Director of Virginia Humanities, and the Chief Executive Officer of the Virginia*
5073 *Tourism Authority or their designees shall serve ex officio.*

5074 *B. The Commission shall elect a chair and vice-chair from among its membership.*

5075 *C. Nonlegislative citizen members shall be appointed for the duration of the Commission's activities.*
5076 *Nonlegislative citizen members of the Commission shall not receive compensation or reimbursement for*
5077 *travel and other expenses incurred in the performance of their duties.*

5078 **§ 30.1-1521. (Expires July 1, 2032) Powers and duties of the Commission.**

5079 *A. The Commission shall have the following powers and duties:*

5080 *1. Formulate and implement a program for the inclusive observance of the 250th anniversary of the*

5081 *independence of the United States and the Revolutionary War in the Commonwealth, including (i) civic,*
 5082 *cultural, and historical education and scholarship concerning the ideals of the American Revolution and*
 5083 *their contemporary relevance; (ii) visitation of museums and historic sites, including battlefields; (iii)*
 5084 *creation and publication of historical documents and studies; (iv) cooperation with agencies responsible for*
 5085 *the preservation or restoration of historic sites, buildings, art, and artifacts; (v) establishment of exhibitions*
 5086 *and interpretive and wayfinding signage; (vi) arrangement of appropriate public ceremonies; (vii) a*
 5087 *comprehensive marketing and tourism campaign encompassing calendar year 2025 through calendar year*
 5088 *2026; and (viii) the general dissemination of public information regarding the Commonwealth's involvement*
 5089 *in the American Revolution and its legacy today;*

5090 *2. Appoint and establish an advisory council composed of nonlegislative citizen members who have a*
 5091 *knowledge of relevant history or expertise in areas useful to the work of the Commission, including a*
 5092 *representative of the Sons of the Revolution in the Commonwealth of Virginia, a representative of the*
 5093 *Virginia Daughters of the American Revolution, and a representative of the National Washington-*
 5094 *Rochambeau Revolutionary Route Association. The advisory council shall make recommendations and*
 5095 *provide comment as requested by the Commission. The Commission may appoint, add, or remove members of*
 5096 *the advisory council. Members of the advisory council shall serve without compensation or reimbursement;*

5097 *3. Appoint and establish an executive committee composed of members of the Commission, including the*
 5098 *Commission's chair and vice-chair and one representative designated by each of the lead commemoration*
 5099 *partners: the Jamestown-Yorktown Foundation, the Virginia Museum of History & Culture, and Gunston*
 5100 *Hall;*

5101 *4. Perform such other duties, functions, and activities as may be necessary to facilitate and implement the*
 5102 *objectives of the Commission; and*

5103 *5. Submit reports pursuant to § 30.1-1107.*

5104 *B. The Commission may solicit, accept, use, and dispose of gifts, grants, donations, bequests, or other*
 5105 *funds or real or personal property for the purpose of aiding or facilitating the work of the Commission. In*
 5106 *accordance with the general appropriation act, the Commission may procure supplies, services, and property*
 5107 *and make or enter into contracts, leases, or other legal agreements as it may deem necessary to carry out its*
 5108 *duties. No contract, lease, or other legal agreement shall be entered into by the Commission that extends*
 5109 *beyond the date of expiration of the Commission.*

5110 **§ 30.1-1522. (Expires July 1, 2032) Staffing.**

5111 *The Commission may appoint and employ and, at its pleasure, remove an executive director and such*
 5112 *other persons as it deems necessary to assist it in carrying out its duties as set forth in this article. The*
 5113 *Commission may determine the duties of such staff and fix their salaries or compensation within the amounts*
 5114 *appropriated in the general appropriation act. If funds are not appropriated for staffing, the Joint Rules*
 5115 *Committee shall determine the staffing support for the Commission.*

5116 *The Office of the Clerk of the chair of the Commission shall provide administrative staff support.*

5117 **§ 30.1-1523. (Expires July 1, 2032) Virginia American Revolution 250 Commission Fund.**

5118 *There is created in the state treasury a special nonreverting fund to be known as the Virginia American*
 5119 *Revolution 250 Commission Fund (the Fund). The Fund shall be established on the books of the Comptroller.*
 5120 *All funds appropriated for such purpose and any gifts, grants, donations, bequests, and other funds received*
 5121 *on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the*
 5122 *Fund shall remain in and be credited to the Fund. Any moneys remaining in the Fund, including interest*
 5123 *thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund.*
 5124 *Moneys in the Fund shall be used solely for the purpose of enabling the Commission to perform its duties.*
 5125 *Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by*
 5126 *the Comptroller upon written request of the chair of the Commission.*

5127 **§ 30.1-1524. (Expires July 1, 2032) Sunset.**

5128 *This article shall expire on July 1, 2032.*

5129 **CHAPTER 16.**

5130 **LEGISLATIVE STUDY ENTITIES.**

5131 **Article 1.**

5132 **Commission on School Construction and Modernization.**

5133 **§ 30.1-1600. (Expires July 1, 2026) Commission on School Construction and Modernization; purpose.**

5134 *The Commission on School Construction and Modernization (the Commission) is established in the*
 5135 *legislative branch of state government. The purpose of the Commission is to develop and provide guidance*
 5136 *and resources to local school divisions related to school construction and modernization and make funding*
 5137 *recommendations to the General Assembly and the Governor.*

5138 **§ 30.1-1601. (Expires July 1, 2026) Membership.**

5139 *The Commission shall have a total membership of 17 members that shall include eight legislative*
 5140 *members, three nonlegislative citizen members, and six ex officio members. Members shall be appointed as*
 5141 *follows:*

5142 *1. Five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in*

5143 accordance with the principles of proportional representation contained in the Rules of the House of
5144 Delegates;

5145 2. Three members of the Senate to be appointed by the Senate Committee on Rules;

5146 3. One nonlegislative citizen member to be appointed by the Speaker of the House of Delegates;

5147 4. One nonlegislative citizen member to be appointed by the Senate Committee on Rules; and

5148 5. One nonlegislative citizen member to be appointed by the Governor.

5149 The Superintendent of Public Instruction, the Director of the Department of General Services, the
5150 Executive Director of the Virginia Resources Authority, the State Treasurer, the President of the Board of
5151 Education, and the Director of the Department of Planning and Budget or their designees shall serve ex
5152 officio.

5153 **§ 30.1-1602. (Expires July 1, 2026) Powers and duties of the Commission.**

5154 The Commission shall have the following powers and duties:

5155 1. Assess the Commonwealth's school facilities and determine funding needs for school construction and
5156 modernization;

5157 2. Identify funding mechanisms and make recommendations to the General Assembly and the Governor;

5158 3. Establish best practices in school construction and modernization for school divisions;

5159 4. Create standardized construction designs and procurement practices to recommend and make
5160 available to local school divisions;

5161 5. Identify potential cost-saving measures for implementation by local school divisions to minimize
5162 construction and modernization costs where possible; and

5163 6. Submit reports pursuant to § 30.1-1107.

5164 **§ 30.1-1603. (Expires July 1, 2026) Staffing.**

5165 The Office of the Clerk of the chair of the Commission shall provide administrative staff support. The
5166 Division of Legislative Services shall provide legal and legislative research and analysis as requested by the
5167 Commission.

5168 **§ 30.1-1604. (Expires July 1, 2026) Sunset.**

5169 This article shall expire on July 1, 2026.

5170 *Article 2.*

5171 *Virginia Commission to End Hunger.*

5172 **§ 30.1-1605. (Expires July 1, 2027) Virginia Commission to End Hunger; purpose.**

5173 The Virginia Commission to End Hunger (the Commission) is established in the legislative branch of state
5174 government. The purpose of the Commission is to develop an action plan every two years for ending hunger
5175 in the Commonwealth, review the progress of such plan, and ensure cross-collaboration among government
5176 entities and community partners toward the goal of ending hunger in the Commonwealth.

5177 **§ 30.1-1606. (Expires July 1, 2027) Membership.**

5178 The Commission shall have a total membership of 19 members that shall include eight legislative
5179 members and 11 nonlegislative citizen members. Members shall be appointed as follows:

5180 1. Five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in
5181 accordance with the principles of proportional representation contained in the Rules of the House of
5182 Delegates;

5183 2. Three members of the Senate to be appointed by the Senate Committee on Rules;

5184 3. Six nonlegislative citizen members, of whom one shall be a researcher at the university level, one shall
5185 be a representative of the Secretary of Health and Human Resources, two shall be representatives from
5186 community organizations working toward ending hunger, one shall be a high school junior or senior student
5187 representative from a public school, and one shall be a board-certified physician, to be appointed by the
5188 Speaker of the House of Delegates; and

5189 4. Five nonlegislative citizen members, of whom one shall be a researcher at the university level, three
5190 shall be representatives from community organizations working toward ending hunger, and one shall be a
5191 nutritionist, to be appointed by the Senate Committee on Rules.

5192 **§ 30.1-1607. (Expires July 1, 2027) Powers and duties of the Commission.**

5193 The Commission shall have the following powers and duties:

5194 1. Identify all funding sources that can be used for improving nutrition and ending hunger for which the
5195 state has administrative control and for development of future funding;

5196 2. Identify strategies for ensuring that each public elementary and secondary student has access to
5197 nutritious meals and snacks at school, including by promoting full participation in all federally assisted
5198 school meal and snack programs by both eligible schools and eligible students in such schools;

5199 3. Identify barriers to food access and develop sustainable policies and programs to address such
5200 barriers;

5201 4. Promote and facilitate public-private partnerships;

5202 5. Develop benchmarks and set goals to indicate success; and

5203 6. Submit reports pursuant to § 30.1-1107.

5204 **§ 30.1-1608. (Expires July 1, 2027) Staffing.**

5267 6. That if any clause, sentence, paragraph, subdivision, or section of Title 30.1 shall be adjudged in any
5268 court of competent jurisdiction to be invalid, the judgment shall not affect, impair, or invalidate the
5269 remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision,
5270 or section thereof directly involved in the controversy in which the judgment shall have been rendered,
5271 and to this end the provisions of Title 30.1 are declared severable.

5272 7. That Title 30 (§§ 30-1 through 30-453) of the Code of Virginia is repealed.

5273 8. That the provisions of this act shall not affect the existing terms of persons currently serving as
5274 members of any agency, board, authority, commission, or other entity and that appointees currently
5275 holding positions shall maintain their terms of appointment and continue to serve until such time as the
5276 existing terms might expire or become renewed. However, any new appointments made on or after
5277 October 1, 2026, shall be made in accordance with the provisions of this act.

5278 9. That the provisions of this act shall become effective on October 1, 2026.