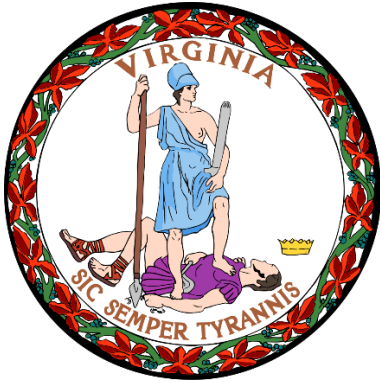


*A Legislator's Guide to the
Division of
Legislative
Services
November 2023*

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Division of
Legislative
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Published by the Division of Legislative Services
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Welcome!

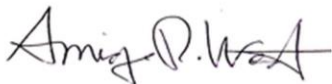
from the Director

Welcome to the Virginia General Assembly. Established in 1619, it is the oldest continuous law-making body in the Western Hemisphere and the first elected legislative assembly in the New World. Having any part in such a historic institution is an incredible privilege that the entire Division of Legislative Services takes seriously, and it is my distinct honor to serve as its Director.

This guide is the work of 13 Division attorneys who together have over 100 years of experience working with the General Assembly and provides an introduction for members of the General Assembly and their staff to the organization of the Division and the major services it provides.

Following the introduction, this guide is organized into three sections based on the “seasons” of the Division’s work: bill drafting, session, and the interim. In addition, the appendices include a glossary, a description of the parts of a bill, examples of various types of legislation, and an overview of other core roles of the Division.

Please contact the Division with any questions you have about our services.



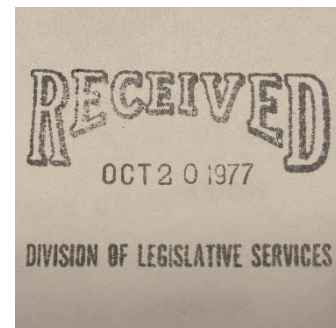
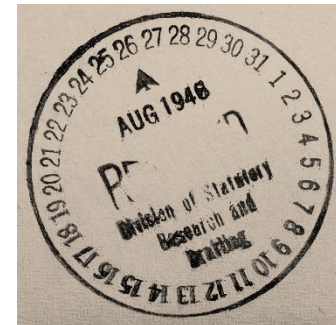
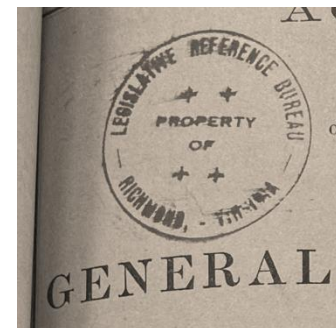
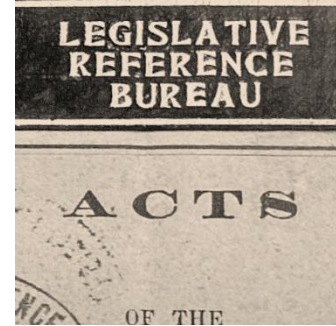
Amigo Wade
Director

Part I: Introduction

What Is the Division of Legislative Services?

The Division of Legislative Services has been in existence, in some form, since 1914, when the General Assembly first established the Legislative Reference Bureau. Originally part of the executive branch, the Bureau was moved to the legislative branch and renamed, first as the Division of Statutory Research and Drafting and then, in the early 1970s, as the Division of Legislative Services. Oversight and supervisory control of the Division and its Director evolved over the years, as did its duties and responsibilities.

Today, the Division provides nonpartisan legal and general research support services to the members of the General Assembly and its committees. Members of the General Assembly work regularly with the Division's staff of attorneys and legal analysts who draft bills and resolutions and serve as legal counsel for legislative committees. Each session, the General Assembly will consider hundreds of pieces of legislation on a wide variety of topics, each with its own legal and policy issues and considerations, and the Division's staff are organized into sections that cover the breadth of those legislative subject matters. The Division's staff individually focus on particular legislative subject matters or topics, drafting legislation in those or related subject matters and serving as counsel for the associated subject matter legislative committees. Outside of legislative sessions, the Division's staff draft early requests for bills and resolutions, staff interim legislative commissions, councils, and studies, attend conferences, read case law, and stay abreast of emerging issues within their assigned subject matters. This focus and specialization ensures that there is also a depth of knowledge when it comes to any of the topics or issues that may be brought before the General Assembly.



What Is the Role of the Division in the Legislative Process?

The legislative process is a multistep, multifaceted process that involves and depends on the participation of many different people in many different roles. The Division's role in this process boils down to two essential functions: drafting bills and serving as counsel to legislative committees. Each of these functions is discussed in depth in Parts II and III of this guide, respectively. Regardless of which function a member of the Division's staff is carrying out, the approach is the same: to determine the objective of the legislator or legislature and how that objective can best be legally and constitutionally carried out. The Division's staff has no stake in the outcome of any piece of legislation; the focus is always on how the outcome, whatever it may be, will be incorporated into the Code of Virginia or the Constitution of Virginia, as applicable.

The Division is nonpartisan at all times. The Division serves all legislators, whether in the majority or minority party, and is committed to providing the highest level of service to all legislators, in all circumstances. Division staffers are neutral, objective participants in the legislative process and conduct themselves in a nonpartisan manner at every stage, ensuring their work is objective and balanced. It is the responsibility of the Division's staff to provide clear and impartial information and legal analysis and to prepare thoroughly researched and legally sound bill drafts that accurately reflect a legislator's policy objective, regardless of the legislator's political affiliation or the drafter's personal views on the policy.

**The Division is
nonpartisan at
all times.**

The concept of nonpartisanship can be difficult to understand or fully trust in a political environment that is inherently partisan. How can staff prepare a bill that could enact a policy they personally oppose? How can staff work to solve an issue on a bill for a legislator whose politics they do not support? The reality, though, is that for Division staff, a bill is a bill is a bill, and the relationships with legislators that develop over time are not premised on a



shared political view, but instead are built over long hours working on a bill draft, in committee meetings running late into the night, and during the frantic final days of conference committees, and legislators become individuals who are defined by something other than the party they caucus with.

The Division has a compelling interest in protecting and upholding the actual and perceived integrity of the Division in the legislative process, and it places narrowly tailored restrictions on employees' participation in certain political activities that are not otherwise protected by the First Amendment to the United States Constitution.

**The Division
maintains
confidentiality
at all times.**

The Division maintains confidentiality at all times. Maintaining the confidences of an individual legislator or the legislature as a whole informs the manner in which the Division carries out its work both in public and in private. Such confidentiality underpins all work the Division does on behalf of a legislator or in furtherance of a legislator's objective or goal. When the Legislative Reference Bureau was established in 1914, the General Assembly included a provision in the Code

of Virginia that specifically prohibited employees of the Bureau from revealing to any person outside of the Bureau the contents or nature of any bill draft request without the consent of the person making the request. This statutory duty to maintain the confidentiality of bill draft requests has remained in the Code of Virginia ever since and can currently be found in § 30-28.18.

Furthermore, the legislative privilege that is set forth in Article IV, Section 9 of the Constitution of Virginia, referred to as the "Speech and Debate Clause," immunizes legislators from criminal prosecution and civil liability for their legislative actions and extends to protection from compulsory testimony and production of evidence. The Supreme Court of Virginia considered the scope and application of this legislative privilege in a 2016 case, *Edwards v. Vesilind*, and held that the Division could invoke legislative privilege in response to a subpoena for certain communications, as Division staff were functioning in a legislative capacity on behalf of and at the direction of a legislator.

Beyond this legislative privilege, licensed Division attorneys are subject to the Virginia Rules of Professional conduct governing attorney-client privilege.

Legislators can be assured that the nature of a bill request, communications, and discussions with Division staff are kept confidential and are not disclosed.

Part II: The Division as Drafters

As a long-time legislative counsel once said, “Legislating is a wonderful service to the citizens of the Commonwealth, and the Division of Legislative Services is here to help the legislators build beautiful things for the good of those citizens.” As a member of the General Assembly, each legislator has the great privilege of crafting laws that will govern the Commonwealth and impact all of the Commonwealth’s citizens, and the Division assists with this extraordinary responsibility by drafting legislation and advising on any legal and constitutional issues that arise.

This section walks through the bill drafting process, from submitting a bill draft request to introducing the bill. This process was designed to foster productive collaboration. There are deadlines set for all aspects of the bill drafting process, from submitting a request to returning a completed draft and even requesting changes to a draft. These deadlines aim to make the workload manageable for the drafters, while also ensuring each legislator’s bill draft request is given due attention and will be ready in time for consideration during the legislative session. The online system for requesting and drafting bills was built to make the process of requesting a bill and tracking its progress as easy and accessible as possible. The Division’s internal, multistage review of all drafted legislation allows legislators to be confident that any bill they patron is both legally sound and grammatically correct.

The legislator is the client. When drafting a bill for a legislator, drafters do so on behalf of the legislator, who is their client. Bill drafting is a legislator-driven process; legislators have an idea for a policy concept or identify a problem in the Commonwealth that they want to address, bring that policy concept or an explanation of the problem to the Division, and request a bill draft. That bill draft request is then assigned to a drafter who, maintaining a neutral position on the merits of the policy concept or idea, translates their client’s policy concept or idea into the language of the Code of Virginia as clearly, unambiguously, and accurately as possible, in both form and substance, in the bill draft.

In certain instances, various parties, including lobbyists, constituents, and entities such as government agencies, are involved in the impetus for a bill draft request, and the requesting legislator may want the drafter to work with these parties during or at various stages of the bill drafting process. While the drafter will consult and collaborate with a third party on a legislator’s bill at the legislator’s request, it is important to remember that the drafter is still working on behalf of their client, the legislator; the drafter does not work at the direction of the third party and will consult with the legislator for approval of policy decisions or modifications to the bill draft.

The Bill Drafting Process

1 A legislator makes a bill draft request.

How do I request a bill draft?

A legislator may request that the Division draft a bill in several different ways. The most common and preferred method is by submitting a formal request through the Bill Drafting System (BDS). However, legislators may also request a bill draft in person or via email or phone.

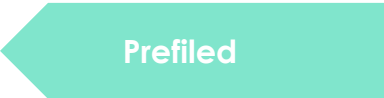
When can I request a bill draft?

A bill draft can be requested at any time; however, there are important deadlines to be mindful of. Each year, the General Assembly agrees to a joint procedural resolution that establishes a schedule for the prefiling period for the following regular session. The Division publishes the calendar on its homepage.¹ The calendar contains the dates set by the procedural resolution, along with other important deadlines and key dates throughout the session.

Adopted by the General Assembly pursuant to HJ 472		JANUARY 2024			2024 Session Prefiling Schedule	
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	3	4	5 All requests for drafts, redrafts, and corrections of legislation creating or continuing a study to DLS by 5:00 p.m.; All requests for redrafts and corrections for legislation to be prefiled to DLS by 5:00 p.m.	6
7	8	9 All drafts of legislation to be prefiled available by noon	10 (1) Prefiling ends at 10:00 a.m.	11 (2)	12 (3)	13 (4)

Depending on the date a bill draft is requested and ultimately submitted, it will be classified as either a prefiled bill draft request or a non-prefiled bill draft request.

Typically, the procedural resolution requires prefiled bill drafts to be requested by a date in late November or early December. In addition to not being subject to a strict limitation on the number of bills that a legislator may patron, prefiled bill draft requests also have the advantage of receiving more attention from the drafter, who is able to spend more time researching, crafting solutions, and collaborating with the legislator on a prefiled bill draft request than on a non-prefiled bill draft request. Prefiled bills are also



¹ <https://dls.virginia.gov/>

introduced prior to the first day of session, allowing for earlier feedback on the introduced bill from stakeholders and legislators.

Non-prefiled

Non-prefiled bill drafts, on the other hand, may be requested after the deadline for requesting a prefiled bill draft and through the Friday following the first day of session, putting them at a significant disadvantage because drafters prioritize prefiled bill requests as they are subject to the deadline set in the procedural resolution. Even a bill draft request that is made just a few hours after the deadline to request a prefiled bill draft is designated as a non-prefiled bill draft request and is therefore unlikely to receive any time or attention from the drafter until after the first of January. The quality of time and attention a non-prefiled bill draft request receives, from the drafter, legislator, and stakeholders, is also lowered as the session gets underway when all parties are pulled in multiple directions for various other obligations.

What should I include with my bill draft request?

Section 30-28.18 of the Code of Virginia requires that all bill draft requests submitted to the Division “contain a general statement respecting the policies and purposes that the requester desires [to be] incorporated in and accomplished by the bill.” Section 30-28.18 further requires that bills drafted by the Division “conform to the statements submitted with the request or any supplementary instructions.”

The two most important pieces of information to include with a bill draft request are the problem that the legislation seeks to address and the manner in which the legislation will attempt to remedy the problem.

Accordingly, if a specific event led to the bill draft request, a description of the event can be particularly helpful. Moreover, if a legislator's idea for a bill draft request was generated from a specific court case, opinion, article, or other publication, a link to this information is very welcomed by and helpful to the drafter. In some instances, legislators request a bill draft that either has already been drafted or implemented in another state or is based on model legislation that is being promoted in multiple jurisdictions across the nation. In such instances, the state or model legislation should be attached or linked to the legislator's bill draft request.

If a legislator wishes to submit a request for legislation that has been introduced previously, either by the requesting legislator or another legislator, the bill draft request does not need to detail the policies and purposes of the requested legislation. Rather, in such instances, a cursory request for the legislation,

accompanied by the bill or legislative draft number of the legislation sought, is sufficient.

Communication authorization

Per § 30-28.18 of the Code of Virginia, the Division’s drafters do not engage in communications about the specifics of a legislator’s bill draft request unless authorized to do so by the requesting legislator. However, given the large subject matter areas that the Division’s drafters handle, it can be helpful for a bill drafter to communicate with outside parties, including state agencies and certain stakeholders, regarding a bill draft request during the bill drafting process. For this reason, when a legislator submits a request for a bill draft, they have the option to authorize the drafter assigned the bill request to communicate with outside parties about the bill draft. They are also able to provide the name and contact information for a specific individual or entity with whom they would like the drafter to work on the bill draft.

2 The bill draft request is assigned to a drafter.

The Division’s drafters are organized into subject matter teams, and bill draft requests are assigned to drafters based on the topic or issue to be addressed in the bill draft. Once a bill draft request has been formally assigned to a drafter, the requesting legislator is able to see the name of the assigned drafter in the legislator’s patron status report and may contact the drafter directly.

Once a bill draft is requested and assigned, the assigned drafter promptly reviews the request to understand the nature and specific changes to the Code of Virginia that are being requested. Generally speaking, it is preferable for a drafter to receive a detailed and comprehensive bill draft request, as the more specific a request is, the more likely it is that the bill draft produced will meet the legislator’s expectations. If a request is scant on details, the assigned drafter will reach out to the legislator with follow-up questions so that they may better understand the legislator’s policy goals in order to determine the specific changes needed.

For example, stating that the requested legislation’s aim is to “reform divorce laws in Virginia” would require follow-up questions, as there are various avenues of divorce and a multitude of Code of Virginia sections pertaining to divorce. The drafter will have to contact the legislator with any number of questions in order to have a much clearer picture of the changes sought, such as whether the legislator wishes to focus on fault-based divorce or no-fault divorce, or whether they want to modify the laws on the grounds for divorce or the procedural requirements for obtaining a divorce.

Once the nature of a bill draft request has been reviewed, the assigned drafter will perform any necessary research to draft the legislation, including researching case law, other states' laws, and any statutory history that may be pertinent to the request. Sometimes a drafter will determine that seeking out the technical expertise of a practitioner in a particular field, such as a practicing private attorney or governmental agency, would be helpful.

For example, a drafter who is assigned a bill draft request that seeks to modify the licensing process for a particular occupation may want to consult with the licensing board for that occupation to understand how the current process works.

In those instances, the drafter will contact the requesting legislator to obtain permission to discuss the specific details of the request with such an individual or entity if authorization for such communications has not already been given with the original request.

3 The drafter writes the bill draft.

The Code of Virginia is a living document, evolving year after year as existing laws are amended, with provisions modified or stricken and built upon with the language of a new idea being added to what already exists. The result is a tangled web of text with provisions of law tied together across the 74 titles that compose the Code of Virginia. The drafter's most valuable skill is their sophisticated, refined, and honed ability to read the text of the Code of Virginia and correctly ascertain not only what the words mean or could mean but also how a change to one provision might necessitate a change to another.

For example, if a legislator requests a bill to move the primary election date, the bill drafter assigned to the request will amend the Code section in Title 24.2 that sets out the date of primary elections and will also amend the Code sections that set out the filing deadlines for independent candidates. This is because the drafter knows that the filing deadline for independent candidates is the date of the primary election and that it was the intent of the General Assembly, when setting the deadlines many years ago, that the two be linked together.



Pursuant to § 30-28.18 of the Code of Virginia, all bills that are drafted by the Division must “conform to the statements submitted with the request or any supplementary instructions.” The bill drafter is neutral on the policy objective outlined for a bill draft, as the drafter’s primary goal is to write a bill draft that accomplishes the legislator’s goals in a manner that comports with the style and spirit of the Code of Virginia. That is, once a request is received, it is the drafter’s responsibility to craft language that fulfills the legislator’s specific request while also being clear and unambiguous and fitting within the entire Code of Virginia as a whole.

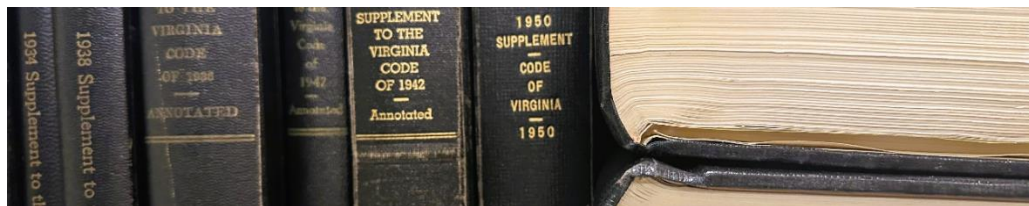
When drafting legislation, the Division’s drafters are carrying out their duty as **Keepers of the Code**. That responsibility includes ensuring that the legislation is in line with the requirement that statutes are of general application and permanent in nature as specified and described in § 30-146 and that statutory language remains as consistent as possible.

There are a number of drafting conventions followed by the Division’s drafters to streamline the language and style utilized during the bill drafting process. For example, Title 1 of the Code of Virginia provides a list of general, Code-wide statutory provisions that guide certain phrases and language used by drafters.² One of those provisions is in § 1-218, which specifies that a draft containing a nonexclusive list will use the words “including” or “includes” but will not use the phrase “but not limited to.”

Drafting rules and conventions

Additionally, the Division has policies related to certain language that should not be included in the Code. For example, a general Virginia Code Commission and Division policy is that, unlike federal code, the Code of Virginia does not include statements of purpose, declarations of policy, or “whereas” clauses as a preface in bills.

Similarly, there is also a policy that an individual person’s name or a political description is not used to name bills or acts in the Code of Virginia. This policy helps keep the Code of Virginia and its table of contents easier for the public to navigate and understand. Legislators, lobbyists, and citizens are free to use these names when referring to a bill or act outside of the formal legislative process.



² See Title 1 (General Provisions) of the Code of Virginia: <https://law.lis.virginia.gov/vacode/title1/>

The drafter is also responsible for determining the proper vehicle for achieving the legislator's objective. There are instances when the legislator's goal for a bill is properly achieved by a constitutional amendment, a budget amendment, or an uncodified bill, frequently referred to as a Section 1 bill because it begins with "§ 1." Section 1 bills are not incorporated into the Code of Virginia because they are limited in duration or in effect, but they carry the same force of law as a bill that is codified.

All of this is why sometimes a draft prepared by the Division has a different structure or uses different language than what the legislator expected or even requested. Even when another state's law, model legislation by an organization, or a draft prepared by a third party is included with the bill draft request, the draft prepared will deviate from this material. This is because the Code of Virginia is written differently than the laws of other states, and the Division is bound by certain statutory drafting rules and principles that often require deviation from the language or structure used or proposed by such outside sources so that it aligns with the organization and structure of the Code of Virginia.

The drafter is responsible for succinctly summarizing the main objective and components of each bill. These summaries, which accompany each bill draft, do not describe every detail of a bill but address the overarching changes the bill would make to the laws of Virginia. Summaries also do not address the purpose or policy behind a bill; those are explained by the legislator when a bill is heard and debated in committee and on the chamber floor. Summaries are the proprietary work of the drafter and generally are not subject to requests for changes unless there is an objective error noted.

Summaries

Ultimately, it is the legislator's responsibility to communicate with a drafter any questions regarding, or requests to change, a bill draft request. Similarly, it is the legislator's responsibility to respond to communications and questions from a drafter throughout the bill drafting process and to know and understand each detail of the bill before it is introduced and heard and debated in committee and on the chamber floor. Because the Division receives several thousand bill draft requests prior to each session, prompt and close communication allows for the best possible product to be created by the drafter and for the legislator to have a clear understanding of a bill draft before submitting it for introduction.

4 The draft goes through an internal review.

After the drafter completes the first draft of a bill, it goes through multiple stages of internal review within the Division.

The first stage is an editorial review. The draft is first proofread for spelling, grammar, punctuation, and adherence to Division editorial style guidelines and Code of Virginia numbering and formatting and is then edited to identify issues with sentence structure, language clarity, and adherence to Code of Virginia style and precedence. The Division's editing staff reviews thousands of bill drafts covering all subject matter areas each year, giving them unique and valuable insights into the language of the Code of Virginia. Sometimes an editor will pose a question to a drafter about particular language that alerts the drafter to a previously unseen issue with the language in a bill draft.

The second stage of the internal review process is a peer review, known colloquially among drafters as a read-around. During this stage, the drafter's subject matter area teammate reads the bill draft and suggests technical or substantive edits. If a bill draft touches on more than one subject matter area, it is also reviewed by a drafter who works in that subject matter area. The original drafter will consider the feedback received during a read-around and may make additional edits based on that feedback.

Finally, the bill draft is reviewed by the drafter's manager or a lead senior attorney, and additional edits may be suggested. Once the bill draft is approved by the drafter's manager, it is then available to the requesting legislator to submit for introduction or transfer to another legislator.

5 The bill draft is made available to the requesting legislator.

The bill draft is provided to or made available for the requesting legislator either through the patron status report or via email. Whatever the method, all bill drafts for prefiled legislation must be provided to or made available for the requesting legislator by a deadline that is set out in the same procedural resolution that sets out the deadline for submitting bill draft requests. As discussed earlier, the deadline to request prefiled legislation typically falls in late November or early December. The deadline for drafters to return the bill drafts is typically four weeks after the requesting deadline. For the entire month of December, the drafters work through thousands of bill draft requests and must allow time for the internal review processes to occur. Individual drafters will write several hundred pieces of legislation by New Year's Eve.

Time is a limited resource for the Division in December. The following chart shows the total number of prefiled bill draft requests received in the past few years. A majority of the prefiled bill draft requests were received in the last week prior to the deadline, meaning the bulk of the bills drafted by the Division are done in the weeks between Thanksgiving and the new year.

<i>Session</i>	<i>Prefiled bill draft requests total</i>
2023	3,414
2022	3,287
2021	2,238
2020	4,311

Considering these numbers, the Division would like to stress that legislators do not need to wait until the prefiled bill draft request deadline to submit their requests. The earlier bill draft requests are submitted, the more time drafters can spend researching and asking clarifying questions to ensure that they are capturing the legislator's intent while also examining any potential legal or practical issues with the request. During December, individual drafters are working on hundreds of bill drafts in order to meet the deadlines and may not have as much time to delve deeply into a particular request as they would during the interim. This is why the Division encourages requesting bill drafts early, including at any point during the interim, and providing sufficient information for a bill draft request from the outset, as there may be other barriers that impede a drafter from completing a draft swiftly, such as unresolved policy decisions, delays in communication or waiting on additional information from various stakeholders, a requirement for a corrections impact statement,³ or the need for significant follow-up research into the subject matter of the bill.

Once a bill draft has been made available to a legislator, they should read the bill draft thoroughly and as soon as possible so that there is ample time to request any changes within the deadlines designated by the procedural resolution. Usually about a week after the deadline for the Division to make prefiled bill drafts available to the legislators, there is a deadline for legislators to submit requests for bill redrafts and additional changes to the prefiled bill drafts. Accordingly, there is a deadline for drafters to make the bill redrafts and changed bill drafts available to legislators, allowing legislators to submit the prefiled bill

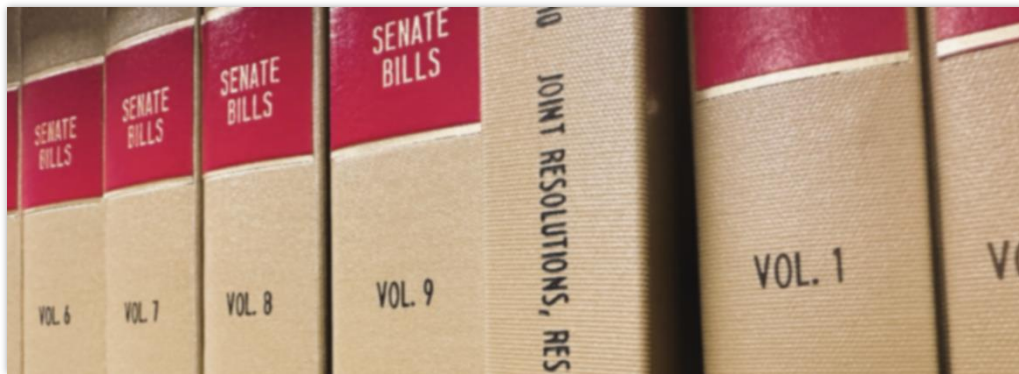
³ See the topic on corrections impact statements later in this section.

drafts for introduction by the deadline. Considering the quick turnaround time for bill redraft and changed bill draft requests, legislators should be as specific as possible when requesting changes to a bill prior to its introduction.

6 The legislator submits the bill draft for introduction.

When a legislator is satisfied with the draft, it is then submitted. Once a bill has been introduced, any further changes to the bill must be done as line amendments or an amendment in the nature of a substitute that will be offered when the bill is considered in a committee, so the legislator should read each bill draft in its entirety to ensure that it reflects their intent before submitting the bill draft for introduction.

For questions about submitting, transferring, or filing a bill draft, or becoming, adding, or being removed as a co-patron to a bill, please contact the House or Senate Clerk's Office, as applicable.



Impact Statements and Evaluations

Each introduced bill receives a fiscal impact statement, a “FIS,” which is a brief analysis of a bill that details any revenue or expenditure impacts on the Commonwealth should such bill pass and become law. These statements are prepared by the Department of Planning and Budget (DPB), but often include input from other executive branch agencies to ensure accurate impact assessments. A bill’s introduction serves as the trigger for the author agency to begin its fiscal analysis and produce the FIS that will ultimately be posted with the bill on the Legislative Information System website. Fiscal impact statements are updated by the author agency when changes made to the bill in the legislative process render a prior FIS outdated, inaccurate, or incomplete. Most often, a new FIS will be produced when an adopted committee substitute or floor substitute, or substantive amendments, alter the estimated impact of the legislative proposal.

FIS

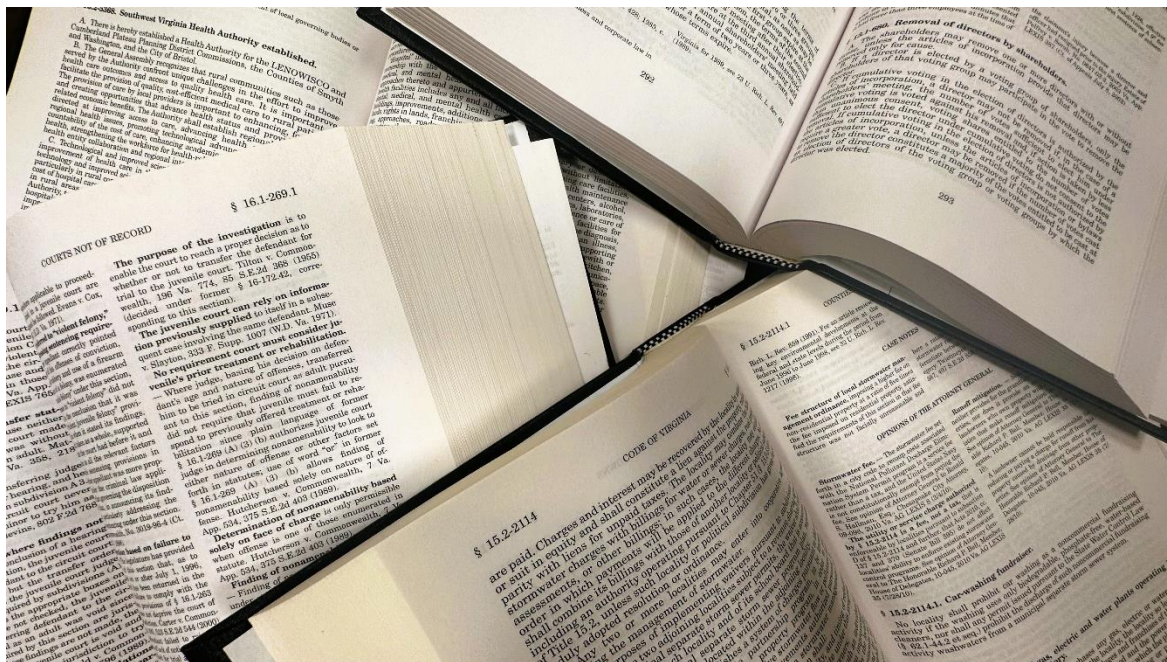
The Code of Virginia also requires other evaluations and impact analyses to be done for certain legislation. For example, any bill that is identified as imposing a net additional

expenditure, a net reduction of revenues, or both on one or more local governments is analyzed by the Commission on Local Government (CLG) and a fiscal impact statement is prepared, projecting the prospective effect of the bills on localities based on the analyses of local officials from a representative cross-section of approximately 40 localities throughout the Commonwealth. The CLG fiscal impact analysis ensures that legislators considering new state-level legislation understand the costs that such bills would impose on localities before such legislation becomes law.

Section 30-19.1:4 of the Code of Virginia requires the Virginia Criminal Sentencing Commission to prepare a fiscal impact statement reflecting the operating costs attributable to and necessary appropriations for any bill that would result in a net increase in periods of imprisonment in state adult correctional facilities. DPB, in conjunction with the Department of Juvenile Justice, is required to prepare a fiscal impact statement reflecting the operating costs attributable to and necessary appropriations for any bill that would result in a net increase in periods of commitment to the custody of the Department of Juvenile Justice. These fiscal impact statements are referred to as corrections impact statements. These statements must be printed on the face of each such bill and thus must be prepared and attached prior to introduction.

Corrections impact statement

The typical scenarios where a corrections impact statement is required include when a bill creates a new felony crime, increases the punishment of a crime from a misdemeanor to a felony or increases the punishment of a crime to a higher degree of felony, or adds a mandatory minimum term of imprisonment to the punishment of a crime. For example, since perjury is a Class 5 felony pursuant to § 18.2-434 of the Code of Virginia, a bill that adds perjury as a punishment requires a corrections impact statement.



Other Kinds of Legislation

See Appendix C for examples.

The Budget (and Budget Amendments)

In general, budget amendments direct the spending of funds for a particular purpose or attach conditions to how funds are spent. For example, a budget amendment may seek to increase an allocation of funding to a department or program or restrict the use of certain funds to a particular purpose.

At times, a legislator may be unsure about whether a policy proposal would require a bill, a budget amendment, or both. If a proposed change to the Code of Virginia has a fiscal impact due to added administrative costs, new or expanded program costs, or an effect on state revenues, the legislator should send both a bill draft request to the Division and a budget amendment to the fiscal staff of the House Committee on Appropriations or Senate Committee on Finance and Appropriations. If the legislator is seeking to establish or modify an allocation of resources in the budget but is not making any change to the Code of Virginia, the legislator should submit only a budget amendment. A bill that does not carry a fiscal impact on state resources does not need a corresponding budget amendment.

In some cases, there may be a Code of Virginia provision that is altered or overridden by the budget. In the event of a conflict, the budget generally takes precedence over the Code of Virginia, so a budget amendment is needed to make changes to current law. For example, tax rates on tobacco and nicotine products have been set in the budget since 2020, while the Code of Virginia provides for lower tax rates that are not currently in effect. A legislator seeking to change these tax rates would have to submit a budget amendment to that effect and could also submit a bill draft request to harmonize the budget with the Code of Virginia.

Commending, Memorial, and Study Resolutions

Resolutions are formal expressions of one or both houses of the General Assembly that do not have the effect of law and do not require executive approval. Resolutions become effective upon passage and are not sent to the Governor's desk to be signed.

The majority of the resolutions introduced before the General Assembly are either commending, memorial, or study resolutions. Commending resolutions are used to honor living individuals or organizations, often on the occasion of an important event or achievement such as retirement, an award, or an anniversary. Memorial resolutions are used to honor individuals who have recently died and to express the respect of the House of Delegates, Senate, or General Assembly for their memories. Study resolutions are used to request or direct a legislative, executive, or independent entity to complete a study on a topic of concern to the General Assembly, identifying specific issues to address and the timeframe for completing the study and submitting a report to the General Assembly.

When requesting a commending resolution, it is helpful for the legislator to provide information about the subject being honored as well as the occasion or achievement that inspired the resolution. This is often in the form of news articles, press releases, resumes, or brief organizational or individual biographies. For memorial resolutions, it is helpful for the legislator to share the individual's obituary and any other additional information that the legislator wishes to be mentioned in the resolution. The legislator may also provide draft language for these resolutions; however, please note that this language may need to be adjusted to conform to resolution templates and Division editorial style guidelines. Any request for a commending or memorial resolution should indicate whether the resolution is to be a single house or joint resolution.

Drafts of commending and memorial resolutions are requested and introduced in the same manner as bills but follow different processes and time frames. Commending and memorial resolutions do not count against bill introduction limits, but each house may enact limits or subject matter restrictions in its rules or the operating resolution. Typically, only one commending or memorial resolution for a particular person or entity may be introduced in each house during a session of the General Assembly. Resolutions that designate a date to be recognized, memorialize the members of Congress or other entities to take a course of action, or express the sense of the General Assembly on a need, problem, or issue—while they may seem similar to commending and memorial resolutions—are treated more like bills and are referred to the House Committee on Rules or Senate Committee on Rules, as applicable.

Commending and memorial resolutions are not typically amended through line amendments or substitutes after they are introduced, so legislators are advised to review resolutions or provide a draft to their constituents prior to introduction. Requests for changes should be sent to the drafter prior to introduction as well. The House or Senate Clerk's Office, as applicable, may be able to make technical changes after a resolution is introduced, but if major changes are required after introduction, including changing the resolution from single house to joint or vice versa, the initial resolution will need to be stricken on the floor and a new resolution introduced.

Resolutions designating a date to be recognized or other referred resolutions should be prefiled if possible and are required to follow the same submission deadlines as bills. Study resolutions are an exception and have an even earlier deadline. No study resolution may be offered after adjournment on the first day of session. Commending and



memorial resolutions may be prefiled but do not follow the same submission and introduction deadlines as bills. The request deadline for joint commending and memorial resolutions is typically the second to last Thursday of session, and the request deadline for single house commending and memorial resolutions is typically the last Tuesday of session; however, legislators are encouraged to request commending and memorial resolutions as early as possible due to the high volume of requests at the end of session. Legislators should consult the session calendar for more information on deadlines for requesting and filing commending and memorial resolutions. Commending and memorial resolutions are not taken up at reconvened sessions but may be permitted during special sessions.

Legislators are requested to advise the Division and the House or Senate Clerk’s Office, as applicable, if a commending or memorial resolution is needed by a certain date for a center aisle presentation. Presentation copies of commending and memorial resolutions can be requested from the House or Senate Clerk’s Office, as applicable.

Amendments to the Constitution of Virginia

The process for amending the Constitution of Virginia is set out in the Constitution itself. There are essentially three steps in the process, and legislators have a role at each step.

First, a proposed constitutional amendment must be approved by the General Assembly. If a majority of the members elected to the House of Delegates and to the Senate approve the proposed amendment, the second step is that it must be put before the General Assembly a second time at the next regular session following a general election for members of the House of Delegates. If the General Assembly approves the proposed constitutional amendment a second time, in the same form with the same language, then the process moves to the third step where the proposed constitutional amendment is submitted to the voters for their approval or rejection.

A member may propose a constitutional amendment in the form of a joint resolution commonly referred to as the first reference resolution. Following a general election for members of the House of Delegates, any member may patron the second reference resolution. This joint resolution must set out the proposed constitutional amendment with the exact same language and in the same form as the first reference resolution.

First or second
reference resolution

Because of the requirement that there be an intervening general election for members of the House of Delegates between the first and second step of this process, regular sessions in even-numbered years are generally considered to be the “off year” for first reference resolutions. There is no rule prohibiting a member from introducing a first reference resolution in an “off year,” but the trend in recent years has been that the Chairs of the House Committee on Privileges and Elections and Senate Committee on Privileges and Elections, the committees

typically responsible for hearing constitutional amendments, either continue all first reference resolutions to the next session or opt to not act on them at all.

Ballot bill

In Article XII, Section 1, the Constitution of Virginia makes it the duty of the General Assembly “to submit [a] proposed amendment or amendments to the voters . . . in such manner as it shall prescribe.” This is effectuated by a third piece of legislation providing for a voter referendum on the proposed constitutional amendment, known colloquially as the ballot bill. The ballot bill directs the voter referendum to be conducted by election officials on a specific date, typically the next November general election, and provides other instructions for the conduct of the referendum. Most importantly, from a legislative perspective, the ballot bill also sets out the specific language of the question as it will be printed on the ballot. The ballot question might be the only description a voter reads about the proposed constitutional amendment, so it should be accurate and understandable, but a ballot’s limited space necessitates that the question also be as concise as possible. The Division attorney tasked with drafting the ballot bill will craft a question with those considerations in mind, but it is for the bill patron, and ultimately the General Assembly, to debate and decide on the precise wording to use.

The Code of Virginia imposes one additional requirement on the process to amend the Constitution of Virginia. Section 30-19.9 requires an explanation for any proposed amendment that is being submitted to the voters to be prepared and distributed to the voters. This explanation is limited to 500 words and “shall be presented in plain English, shall be limited to a neutral explanation, which may include a brief statement on the effect of a ‘yes’ and ‘no’ vote on the question but shall not include arguments submitted by either proponents or opponents of the proposal.” The Division attorney who worked on the constitutional amendment proposal throughout the legislative process will be tasked with drafting the ballot explanation, which then must be approved by the Committee on Privileges and Elections of the house of introduction for the joint resolution proposing the constitutional amendment.

Ballot explanation

This explanation is provided to voters in the polling place on election day, where it is also displayed. In advance of the election, the explanation is also printed in newspapers and posted on the State Board of Elections’ website. Absentee voting instructions alert absentee voters of the explanation on the website.

Local Government Charters

The initial granting of a local government charter is the process by which the General Assembly authorizes the creation of cities and towns. A charter contains the basic powers, obligations, and organizational structure of the locality, and every city and town, as well as three counties, in the Commonwealth have a charter. A charter can only be granted or amended by the General Assembly.

The process for granting a new charter or amending an existing charter is found in Chapter 2 (§ 15.2-200 et seq.) of Title 15.2 of the Code of Virginia. In summary, the process is typically initiated by the local governing body, which must publish the text or an informative summary of the new charter or of any proposed changes to an existing charter before holding a public hearing to allow comment on the text. The local governing body must then vote to approve the new charter or the changes to the existing charter. It is only then that the proposal for a new charter or changes to an existing charter should be forwarded, along with supporting documents showing that the requirements set out in the Code of Virginia have been met, to a member of the General Assembly for possible introduction as a bill at the next session. It is helpful to the drafter of a charter bill if the patron forwards copies of all of the locality's supporting documents along with the bill draft request.

Once introduced, a charter bill will proceed through the legislative process just like any other bill. However, because a charter bill is considered a special act, as defined in Article VII, Section 1 of the Constitution of Virginia, it will require a two-thirds affirmative vote for passage in both the House of Delegates and the Senate.

Part III: The Division as Committee Counsel

When most people think of the work of the General Assembly, the legislative session is what comes to mind. It is a unique privilege to be a part of the process. The committee process that takes place during the legislative session is the stage when the General Assembly does the business of the people, for the people, and it is the only part of the process with public participation.

This section provides some initial information about standing committees for the purpose of providing context for the information that follows. Committees are the jurisdiction of the Clerk's Office for each body, so this section will offer a general overview of committee staffing before focusing on the role the Division plays in a legislative session, including the essential functions and responsibilities of committee counsel and the unique utility of committee counsel as a tool for legislators during the legislative process.

The Standing Committees

Each body has its own process to refer bills to a standing committee. There are 14 standing committees in the House of Delegates and 11 standing committees in the Senate. Each of these committees considers bills that fall within the committee's designated subject matter.

In the House of Delegates, the Speaker is responsible for the process of referring bills to committees, and in the Senate, the Clerk of the Senate is responsible for such process. Each standing committee is led by a chair and has at least one member of Division staff assigned to it to serve as counsel to the committee.

The chair's responsibilities are numerous, including assigning bills to dockets, managing the workflow of the



committee, presiding over hearings, maintaining decorum in the hearing, and honoring the customs and traditions of the General Assembly.

Each standing committee is also assigned a committee clerk from the Clerk’s Office of the corresponding body. The clerk is responsible for parliamentary procedure and the general administration of the committee’s work. Technical support is also present at each committee meeting to assist with the committee’s electronic audio and visual needs.

Some committees have additional staff. For example, the House Committee on Appropriations and the Senate Committee on Finance and Appropriations employ full-time staff who are responsible for drafting the budget and handling budget amendments. In the House Committee for Courts of Justice and the Senate Committee on the Judiciary, outside counsel—typically a practicing criminal defense attorney—is brought in during session to provide a practitioner’s viewpoint on the committee’s work.

The Role of Committee Counsel

The work that takes place in committee is the most visible part of a Division committee counsel’s job. As committee counsel, Division staff advises on various legal issues, including answering legal questions about legislation and advising the committee on the constitutionality and legality of proposed changes, and assists the chair in managing the workflow of the committee. It is the role of committee counsel to provide clear, nonbiased legal opinion and legislative analysis to the committee as a whole. Moreover, the Division maintains discretion and confidentiality throughout the committee process.

In committee

While the work done during committee meetings is the most visible, the majority of the committee counsel’s work is done behind the scenes.

For the chair

The Division’s committee counsel work closely with the committee chairs to set the schedule for the committees during session. Committee counsel will frequently meet with the committee chair to explain bills, set a docket for any upcoming meetings, and alert the chair to any recommended technical amendments to bills as appropriate. The committee chair will also consult with the committee counsel to see if there are any problematic legal issues with a bill or if any practical or logistical concerns have been raised about a bill.

Before a committee begins taking up its bills, committee counsel produces various guidance documents to assist the committee in navigating its workload.

Once a bill has been introduced and referred to a committee, it is now under the purview of the committee and subject to its discretion. As such, committee counsel also spots issues that may arise relating to legislation in committee, including identifying overlap and distinctions between bills that are similar in nature, and

For the committee members

suggests fixes to such issues, preparing amendments and substitutes as needed to conform to the will of the committee.

For bill patrons

Committee counsel is particularly useful to bill patrons as they shepherd their bills through the legislative process. Because the Division is nonpartisan, committee counsel serves in the same counsel role regardless of which political party is in control of the respective chamber or who is the chair of the committee, allowing committee counsel to serve as a steady and reliable source of information, interpretation, and legal guidance.

Moreover, committee counsel jobs are permanent. Committee counsel is not subject to terms of office, and this continuity allows for development and preservation of institutional knowledge. The unique skills developed over years of working to ensure clarity and consistency within the Code provides committee counsel with a depth of knowledge of Virginia statutes that is invaluable when supporting the legislative process.

Amendments

Once a bill has been introduced, the process has just begun. The bill may go through various iterations at any step of the way, from subcommittee, to committee, to the floor, to the Governor's desk. It is committee counsel's responsibility to prepare amendments and to ensure that the language is both complete and legally sound. Sometimes an issue is spotted during committee, and committee counsel prepares an amendment in response

**Amendment means
line amendment or
amendment in the
nature of a substitute
(ANS)**

to that issue. Sometimes a stakeholder suggests an amendment to a bill, and committee counsel will prepare that amendment as well but will first advise the patron on the effect of the proposed amendment so that the patron can make the final call on whether to offer it. Often, bill patrons will ask committee counsel to work directly with stakeholders on crafting a solution to a problem that has been raised, and committee counsel is happy to do so. But, just as when working with a third party on a bill draft, committee counsel is acting on behalf of the patron who is his client and will look to the patron for approval of any policy changes.

When preparing amendments, committee counsel follows the same drafting principles and conventions discussed earlier. Committee counsel also prepares any subsequent changes made necessary by an amendment.

Requests for amendments are made differently from bill draft requests, as amendment requests are not submitted through the legislator's patron status report. To request an amendment to a bill prior to a committee meeting, the legislator should contact the Division staff assigned as counsel for the committee. This may be a different Division attorney than the drafter of the introduced bill, because a bill may be

How to request

referred to a committee that is not staffed by the original drafter. Amendment requests should be made in person, by email, or over the phone.

When to request

It is important to request bill amendments as far in advance as possible before the committee meeting where the bill will be heard. For each committee meeting, Division staff receive numerous requests for amendments to the bills on the meeting's docket, and each such request requires adequate time to complete. As with bill drafts, the amendment request may require further research or follow-up questions, and every amendment undergoes the Division's full review process before it is ready to be presented to the committee. A best practice is to make the amendment request at least 24 hours in advance of the committee hearing, although complex requests may require more lead time. While committee counsel's goal is to always return an amendment as promptly as possible, given the realities of session and its frantic and unpredictable pace, priority may be given to bills that are set to be heard imminently.

A legislator who requests an amendment that cannot be completed before the committee meeting may need to request the committee to pass the bill by for the day and consider the bill at a later date. Committee counsel will communicate with the requesting legislator if there is insufficient time to complete an amendment request.

During a hearing on a bill, the committee may make amendments that were not requested in advance. While the bill that is reported from the committee will reflect the committee's amendments, committee counsel will finalize such amendments after the completion of the meeting. Since committee counsel is required to follow certain drafting conventions, the exact language or form of the finalized amendment may not match verbatim what was stated in committee. However, any deviations will adhere fully to the policy choices made by the committee.

Amending "on the fly"

Just like requests for legislation, requests made by a legislator outside of committee for amendments to a bill are confidential. Committee counsel cannot disclose the amendments or even acknowledge that a request has been made without the requesting legislator's consent. This is true not only for amendment requests from the bill's patron, but also for any requests that are made by committee members.

Once a bill has been reported to the floor from committee, further amendments may be offered. Any legislator that would like to amend a bill that is being heard on the floor should make such request to committee counsel prior to the day the bill may be amended on the floor. After the request is completed, committee counsel will prepare and send the floor amendment to the legislator to submit to the floor amendment to the appropriate Clerk's Office staff.

When a bill ends up in a Committee of Conference, committee counsel also prepares a conference report and any necessary amendments to accompany such report.

Unique Committee Functions

Election of Judges and Certain Other Officials

The Division's judicial selection administrator provides staff support in all areas of judicial selection. This includes the selection, interview, and election and reelection processes of judges for all levels of state courts, as well as commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission, and the position of Auditor of Public Accounts. The judicial selection administrator handles the initial paperwork and facilitates any required background checks for all candidates, coordinates and staffs interviews for selected candidates before the appropriate legislative committees, and drafts the floor resolutions to be voted on by the full legislature for election to each judicial office. The judicial selection administrator works closely with the House Committee for Courts of Justice and Senate Committee on the Judiciary for interviewing and certifying judicial candidates for vacancies within all levels of state courts. Support is also provided to the House Committee on Commerce and Energy and the Senate Committee on Commerce and Labor for the consideration of candidates for vacancies on the State Corporation Commission and Virginia Workers' Compensation Commission. A vacancy or reelection to the position of Auditor of Public Accounts is considered by the House and Senate Committees on Privileges and Elections before going to the full body, and Division staff assist the committees through this process as well.

Additionally, the Division's judicial selection administrator provides year-round information to legislators regarding the number of judicial vacancies in each locality or court level, informs legislators of announced judicial retirements, and acts as a go-between for any questions requiring answers from the Office of the Executive Secretary for the Supreme Court of Virginia, the Department of Social Services, the Virginia State Police, or statewide or local bar associations. When requested, Division's judicial selection administrator will assist local legislative delegations in setting up interviews of judicial candidates during regular or special sessions.

For a more in-depth guide to the judicial selection process, please review *A Legislator's Guide to the Judicial Selection Process* available on the publications page on the Division's website.



Confirmation of Governor's Appointments

Article V, Section 10 of the Constitution of Virginia makes it the responsibility of the Governor to appoint heads of administrative departments and divisions in the executive branch of state government; additionally, the Code of Virginia directs the Governor to appoint members to a number of boards, commissions, and councils created by the General Assembly.

The General Assembly's role in the gubernatorial appointment process is significant: it is responsible for confirming the appointments made by a Governor during his four years in office, from his Secretaries and Chief of Staff to members of the Potato Board. Unlike at the federal level, where presidential appointees are subject to confirmation by the Senate only, both houses of the General Assembly have a role in the confirmation process and that role begins in the Senate Committee on Privileges and Elections.

By law, the Secretary of the Commonwealth communicates to the chairs of the House and Senate Committees on Privileges and Elections (P&E) the names of all persons appointed by the Governor. Each appointee is required to provide a resume and to submit a financial disclosure statement, and copies of both are also provided to the chairs of the P&E committees.

The vehicle for confirming gubernatorial appointments is a joint resolution, which is customarily carried by the chair of the Senate P&E committee. The joint resolution is acted on first by the Senate P&E committee and then the full Senate. After action by the Senate, the resolution then goes to the House of Delegates, where it is acted on first by the House P&E committee before final action by the full House.

For more information about the legislature's role in the gubernatorial appointment process, please review *A Legislator's Guide to Gubernatorial Appointments*, available on the publications page of the Division's website.

Part IV: The Division in the Interim

Occasionally, Division employees are asked, “What do you even *do* in the interim?”—that period of time between the end of one regular session and the beginning of the next. After all, the General Assembly is a part-time legislature. In reality, the work of the legislature continues year-round, and as the legislative agency tasked by law with providing legal and general research support services for the legislature, the work of the Division does as well.

Post-Legislative Session

In the weeks immediately following adjournment *sine die* and the reconvened session, the Division's attorneys and legal analysts shift to supporting the Governor in his role in the legislative process. Pursuant to Article V, Section 6 of the Constitution of Virginia, all bills that pass the General Assembly must be presented to the Governor for his review. After being signed by the Speaker of the House of Delegates and the President of the Senate, and before arriving at the Governor's desk, each bill is reviewed by the Division once more.

The Division's staff reviews every bill that passes the General Assembly, re-reading each one to spot any errors in the text or potential policy conflicts with other bills that have also been passed by the General Assembly before they are reviewed by the Governor. Based on such review, staff may recommend amendments to correct errors, resolve conflicts, or clarify language that, on a final read, is potentially ambiguous. For each bill, notes on any recommendations or conflicts, a list of sections of the Code of Virginia that the bill amends, and the summary for the version of the bill that passed are collected in a “Governor's Note” that the Division sends to the Governor along with the bill text.

After receiving a bill, the Governor may take one of several options, as set out in Article V, Section 6 of the Constitution of Virginia. He may sign the bill into law, or he may veto the bill and return it to the General Assembly with his objections. The Governor may also recommend to the General Assembly amendments to the bill that, if agreed to, would enable him to support the bill and sign it into law. The Division works with the Governor's office to draft such amendments and follows drafting conventions, provides legal advice, and maintains confidentiality in the same manner as for amendments requested by legislators.

The Division publishes a guide each year in advance of the reconvened session that provides a brief, neutral explanation of each amendment offered by the Governor in order to assist General Assembly members during their deliberations at the reconvened session. All *Governor's Amendments and Vetoes* published since 2002 can be found on the Division's website. In addition to *Governor's Amendments and Vetoes*, the Division annually publishes three different summaries of legislation considered during that year's session.

Session Summary provides summaries of all legislation introduced during each regular session organized by topic area and subdivided in each category by whether the bill passed, failed, or was carried over. This guide is helpful for legislators considering legislation on a particular topic who want to see what the General Assembly has considered in recent years and the outcome of those proposals.

Session Highlights provides a compilation of the most significant pieces of legislation in each topic area and the outcome of such legislation. This guide is published after the regular session and before the reconvened session. This guide is helpful to legislators preparing for any session summary talks or creating materials to provide to constituents. It can also help members become familiar with any significant legislation they may have missed during that year's session.

In Due Course: Changes to Virginia's Laws provides summaries of legislation that may impact the daily lives of constituents in the Commonwealth. This guide can be helpful for legislators to share directly with constituents. Becoming familiar with this guide can help legislators prepare for questions or issues that their constituents may bring to them.

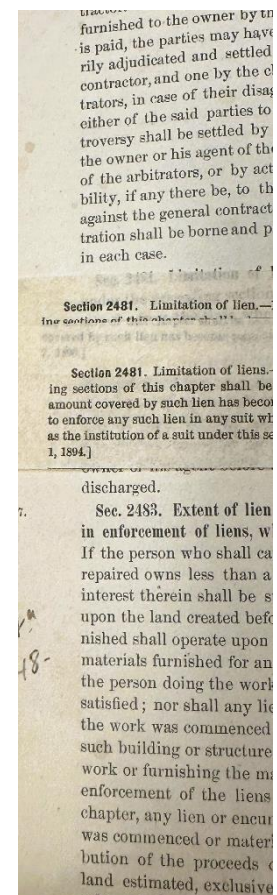
Drafting

It is never too early to request a bill draft! The Division's drafters are available to work on bill drafts any time of the year. The earlier a bill is requested, the more time the drafter will have to work through all of the logistical implications of the legislation. When requesting a major piece of legislation, it is best to contact the Division as early as possible. The Division is happy to work with stakeholders and requesters to get the legislation just right. However, if a bill is requested right before the deadline, the drafter simply does not have as much time to devote to the bill.

Division staff are proactive and stay involved in legislative discussions during the interim. Division drafters participate in stakeholder and agency work groups year-round to stay informed about upcoming legislative initiatives. Drafters are involved in many of these projects from the beginning and contribute nonpartisan legal expertise to the process.

Research Requests and General Inquiries

Division staff are available to assist members of the General Assembly with a variety of inquiries year-round. These inquiries usually relate to a constituent request or question or a legislative initiative. Research



requests and general inquiries are handled by the Division staff member who works in that topic area. Legislators can identify the relevant Division staff member by referring to the Division's staff directory on the Division's website.

Division staff specialize in researching the legal landscape surrounding any topic. This includes tracking down relevant legislative history, judicial rulings, and opinions published by the Office of the Attorney General. Division staff are able to research a given topic as it relates to Virginia as well as its significance in other states. If approved by the requesting legislator, Division staff can also gather information from relevant outside groups. All requests are private and confidential unless otherwise noted.

Please note that the Division cannot provide legal advice to members of the public, nor should the Division be consulted on any personal, nonlegislative legal matters.

Staffing Commissions, Councils, and Studies

Each interim, the Division staffs approximately 40 commissions, councils, joint subcommittees, and studies. These range from one-year studies, such as the Joint Subcommittee to study the feasibility of establishing the Virginia Gaming Commission, to standing commissions and councils, such as the Chesapeake Bay Restoration Fund Advisory Committee and the Small Business Commission.

More information on interim studies and commissions staffed by the Division can be found on the Division's website. More information on all interim studies and commissions, including those not staffed by the Division, can be found on the General Assembly's website.

The Division is responsible for providing both legal and logistical services for these interim groups. The Division is involved in providing legal research and analysis, scheduling and docketing meetings, ensuring compliance with requirements of the Virginia Freedom of Information Act, and drafting any reports, meeting materials, and meeting minutes produced by the group. The Division does not make policy recommendations, but Division staff work closely with the chair of the commission, council, joint subcommittee, or study to make sure that the group has the resources and information necessary to complete its work and make its own policy recommendations, if appropriate. Division staff are an excellent resource for anyone interested in learning more about these interim groups.

Projects

Division staff often take on projects during the interim. The Division publishes Legislator's Guides, like this one, and issue briefs on a variety of topics. These guides and issue briefs cover important topics about which legislators may have questions, including judicial selection, the regulatory process, taxation, and redistricting. All such guides and issue briefs can be found on the Division's website.

Publications

Code Commission

Division staff are also involved in Virginia Code Commission projects during the interim. Periodically, the Virginia Code Commission reviews an existing title of the Code of Virginia for provisions that need to be reorganized, need to be updated, or have become obsolete. Division staff lead this process, known as recodification, as directed by the Virginia Code Commission. Division staff work closely with interested parties affected by the recodification to resolve any problems that are identified with the draft language. The process culminates in a full report on the recommended changes and a bill—often hundreds of pages long—to repeal the existing title and replace it with the reorganized and modernized text.

The Division also provides staff support to the Virginia delegation of commissioners to the Uniform Law Commission (ULC), a nonpartisan, nonprofit national association tasked with studying and reviewing the laws of states to determine areas where uniformity between states would be beneficial and drafting model or uniform legislation for adoption by states. The ULC holds an annual meeting each year in July to discuss, amend, and approve those acts under consideration by the ULC. In June, the Virginia delegation of the ULC meets to prepare for the annual meeting. Division staff participate in the June meeting by giving informational presentations on the acts that are up for consideration during the ULC annual meeting. During these presentations, Division staff summarize each act, explain the policy purpose for the act, and contextualize how the act would interact with Virginia law and recent legislation. These presentations prepare the commissioners for the annual meeting and provide the necessary foundation for the commissioners to set their legislative priorities.

ULC

Redistricting

Some projects are undertaken only once a decade. The Division provides staff support to the Virginia Redistricting Commission (VRC), a commission established in the Constitution of Virginia with the approval of the voters in 2020 and responsible for drawing the congressional and state legislative district lines after the census every 10 years. Outside of the decennial map-drawing, Division staff supports the work of the VRC by serving as the state's liaison with the United States Bureau of the Census, gathering data and other information pertinent to preparation for the census from counties and municipalities, and maintaining the current district and precinct boundaries for all localities.

Division staff also spend time in the interim on professional development. As licensed attorneys in Virginia, Division attorneys are required to complete annual Continuing Legal Education (CLE) requirements. The Division conducts in-house CLE courses, taught by Division staff and covering a variety of topics. Past courses have included cryptocurrency, the Administrative Process Act, retroactive legislative drafting, peer-to-peer vehicle sharing, records retention, firearms, uniform laws, local government law, and the Virginia Freedom of Information Act.

Professional development

The Division's in-house CLE program helps Division staff meet their CLE requirements without additional cost to the agency while also informing Division staff about emerging issues in the law and topics relevant to legislative drafting. This program provides Division staff members the opportunity to research a topic and become in-house experts who can handle future questions related to that topic.

Division representatives annually attend national legislative conferences, including the National Conference of State Legislatures and the Southern Legislative Conference. These conferences are essential to keeping the Division informed about national trends in legislation and tools to improve the bill drafting process. These conferences are also important for building relationships with counterparts in other states.

Special Sessions

As provided in Article IV, Section 6 of the Constitution of Virginia, the Governor has the authority to call a special session when the interest of the Commonwealth may require and is required to call a special session upon application of two-thirds of the members of each house. Special sessions are limited in scope by procedural resolution. The procedural resolution names the topics and types of legislation that can be considered during the special session.

During a special session, the Division provides the same services to the General Assembly as during a regular session, including drafting legislation to be introduced at the special session, serving as committee counsel when a meeting takes place, and preparing amendments throughout the process.

Special sessions are increasingly "less special" in the past decade, now convened more years than not, and have addressed a variety of topics, including the state budget, court-ordered redistricting, and criminal justice reform.

Appendices

Appendix A: Glossary of Terms

Act	Bill passed by both houses and signed by the Governor; law
Acts of Assembly	The bills passed by the General Assembly and signed by the Governor; an act is given a number that represents the numerical sequence in which the bill was signed; the number refers to the “chapter” of the Acts of Assembly. After a session, all acts are bound into volumes referred to as the Acts of Assembly of (year). Joint resolutions amending the Constitution of Virginia are also assigned chapter numbers and are placed in the acts of assembly but are not signed by the Governor
Amendment in the nature of a substitute <i>or</i> substitute	A substantive redrafting of legislation that incorporates the changes in a new version, commonly referred to as a “substitute” or “ANS”; may be offered by a standing committee or subcommittee, on the chamber floor by a member, by a conference committee, or by the Governor
Bill	A proposed law introduced for legislative actions; not yet enacted; “No law shall be enacted except by bill.” (Article IV, Section 11 of the Constitution of Virginia)
Codified act	An act drafted in conformance with the Code that includes one or more Code numbers assigned
Committee counsel	A Division employee who provides a standing committee with legal advice and legislative analysis
Conference report	Formal recommendations of a conference committee, a group of legislators from both houses assigned to resolve differences between versions of a specific bill or joint resolution passed by their respective bodies; prepared by a Division drafter
Drafter	A Division employee who researches and prepares legislative draft requests

Effective date	The time that a law becomes effective; bills passed in a regular session, other than the budget bill, become effective on July 1 of the year in which the bill was enacted (“In due course”) unless the bill contains an emergency clause or a delayed effective date
Emergency clause	An enactment statement that states that an emergency exists and that the bill will go into effect at its signing (versus “in due course”)
Enactment clause	Initial clause following the enactment statement that states the specific actions of the bill, i.e., amending, adding, repealing sections of the Code or an Act of Assembly, or other proposed action
Enactment statement	A formal declaration of the authority by which the act is enacted; “Be it enacted by the General Assembly of Virginia”; declares the General Assembly’s jurisdiction to enact laws and is the only enactment statement used in Virginia
Final enactment clause	Enactment clauses that appear at the end of a bill (i.e., second enactment clause, third enactment clause, etc.); give special instructions for passage of the bill; may repeal certain portions of the Code, establish effective dates for the bill; may state that an “emergency” exists and that the bill will go into effect at its signing (versus “in due course”)
Governor’s notes	Summaries of passed bills for the Governor prepared by Division drafters with information on whether there is any conflict with other bills already passed or still under consideration; considered to be a confidential document for the Governor
Interim	The interval between regular sessions of the General Assembly
Line amendment	A single change or amendment that adds to, revises, or deletes language from a bill or resolution; may be offered in committee or subcommittee, on the chamber floor by a member, by a conference committee, or by the Governor

LD number	A legislative draft (LD) number that is a unique identifier used for Division and LIS purposes; the number identifies the session and the draft number; the last four digits are the shorthand LD number
Not Drafted by DLS	A legislative draft that was not submitted through the normal Division process for requesting a legislative draft; Not Drafted by DLS appears on the pdf version of the bill or resolution; sometimes referred to as a “blue cover”
Reconvened session	The General Assembly reconvenes following adjournment of the regular or a special session to consider legislation that was vetoed or amended by the Governor; no other business may be considered during this session
Resolution	A legislative draft that requests a study or expresses a legislative opinion or sentiment on a particular issue; does not have the force of law and does not require the signature of the Governor; joint resolutions are reviewed by both houses; single house resolutions are reviewed solely by the respective house; Constitutional amendments are signed by the presiding officer of each house and are assigned chapter numbers
Summary	A brief statement regarding the object of a bill or resolution that answers the question, “What does the bill or resolution change?”
Sunset	The expiration date of a legislative measure
Title of bill	A concise statement of the object of a legislative draft; “No law shall embrace more than one object, which shall be expressed in its title.” (Article IV, Section 12 of the Constitution of Virginia)
Uncodified act	An act of short duration or limited application; no Code number is assigned; may be for such things as budget, claims or relief, charters, local application, miscellaneous; sometimes referred to as a Section 1 bill

Appendix B: Parts of a Bill

2023 SESSION

C. Version

INTRODUCED

A. LD number

23100689D

B. Bill number

HOUSE BILL NO. 1415
Offered January 11, 2023
Prefiled December 7, 2022

D. Title

A BILL to amend and reenact § 23.1-2802 of the Code of Virginia; to amend the Code of Virginia by adding in Title 23.1 a chapter numbered 21.1, consisting of sections numbered 23.1-2105 through 23.1-2108; and to repeal § 23.1-2806 of the Code of Virginia, relating to Richard Bland College; governance.

E. Enactment Statement

Patrons—Brewer, Coyner and Taylor; Senator: Ruff
Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:
1. That § 23.1-2802 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Title 23.1 a chapter numbered 21.1, consisting of sections numbered 23.1-2105 through 23.1-2108, as follows:

F. Enactment clause

CHAPTER 21.1.
RICHARD BLAND COLLEGE.

G. Section number and catchline

§ 23.1-2105. **Corporate name; name of the College.**
A. The board of visitors of Richard Bland College (the board) is a corporation under the name and style of "The Rector and Visitors of Richard Bland College" and has, in addition to its other powers, all the powers given to corporations by the provisions of Title 13.1 except those powers that are given to corporations created pursuant to Title 13.1. The board shall at all times be under the control of the General Assembly.

H. Section text: added language

B. The institution shall be known as Richard Bland College (the College).
§ 23.1-2106. **Membership.**
The board shall consist of 12 members appointed by the Governor.
§ 23.1-2107. **Meetings; officers; committees.**
A. The board shall meet at the College at least once a year and at such other times as it determines. Special meetings of the board may be called by the rector or any three members. The secretary shall provide notice of any special meeting to each member.
B. A majority of the members shall constitute a quorum.
C. At the first meeting after July 1 in every even-numbered year, the board shall elect a rector to preside at its meetings, a vice-rector to preside at its meetings, the rector, and a secretary to preside at its meetings in the absence of the rector.
D. The board may appoint a pro tempore officer to preside at its meetings, the rector, vice-rector, and secretary.
E. Vacancies in the offices of rector, vice-rector, and secretary may be filled by the board for the unexpired term.
F. At every regular annual meeting of the board, the board may appoint an executive committee for the transaction of business in the recess of the board, to serve for a period of one year or until the next regular annual meeting.

I. Section text: stricken language

§ 23.1-2108. **Powers and duties.**
A. The board shall appoint all teachers and fix their salaries, provide for the employment of all personnel as required, and generally direct the affairs of the College.
B. The board may confer degrees and, subject to the provisions of § 23.1-205, approve new academic programs and discontinue academic programs offered by the College.
C. All property, property rights, duties, contracts, and agreements of the College are vested in the board. The board shall care for and preserve all property belonging to the College.

J. Section text: existing Code

The board shall (i) make regulations and policies concerning the College; (ii) manage the funds of the College and approve an annual budget; (iii) appoint the chief executive officer of the College; and (iv) fix the rates charged to students for tuition, mandatory fees, and other necessary charges.

K. Second enactment (repealer clause)

CHAPTER 28.
THE COLLEGE OF WILLIAM AND MARY IN VIRGINIA; RICHARD BLAND COLLEGE.
§ 23.1-2802. **Powers and duties.**
A. The board shall generally direct the affairs of the university and Richard Bland College.
B. The board may confer degrees.

L. Third enactment

2. That § 23.1-2806 of the Code of Virginia is repealed.
3. That notwithstanding the provisions of § 23.1-1300 of the Code of Virginia, the Governor's initial appointments of members to the board of visitors of Richard Bland College in accordance with the provisions of § 23.1-2106 of the Code of Virginia, as created by this act, shall be staggered as follows: five members for a term of four years, four members for a term of three years, and three members for a term of two years. After the initial staggering of terms, members shall be appointed by the Governor for terms of four years in accordance with the provisions of § 23.1-1300 of the Code of Virginia.

INTRODUCED

HB1415

2/2/23 9:10

A. Legislative Draft (LD) number

A legislative draft number, or LD number, is automatically assigned to every draft. The first two digits indicate the year of the session and the last four digits are the shorthand LD number.

B. Bill number

The bill number is assigned at introduction in the order that bills are introduced.

C. Version

The version of the bill is printed on its face. It may be Introduced, Substitute, Engrossed, or Enrolled.

D. Title

The title of a bill provides a short statement of the object of the bill. In most bills, the title lists the sections of the Code of Virginia that the bill amends, adds, or repeals and includes a brief phrase indicative of the bill's subject matter.

E. Enactment statement

The enactment statement is a declaration of the General Assembly's jurisdiction to enact laws. Every bill uses the exact same enactment statement.

F. Enactment clause

The initial clause following the enactment statement that states the specific actions of the bill. In most bills, the first enactment clause lists the sections of the Code of Virginia that the bill amends or adds.

G. Section number and catchline

The section number is used to search and identify a specific section of the Code of Virginia. The text that immediately follows the section number is known as the catchline. The catchline indicates in short fashion the contents of a Code section; however, the catchline itself is not considered law.

H., I., and J.: Section text

The body of a Code section, or the section text, is the substantive law being amended or added by a bill. The Constitution of Virginia requires that the entire Code section being amended is set out in full in legislation, regardless of how minor or technical a change may be. Proposed changes to the law are presented as amendments within the existing section text.

Added language: A bill may add entirely new sections or it may add new language within an existing section of the Code of Virginia. In either case, the new language is presented in italic text within the body of the Code section.

Stricken language: When a bill would remove language that currently exists in the Code of Virginia, the language to be removed within a section is presented as strikethrough text.

Existing Code: The text of a Code section as it exists in the Code of Virginia as current law is presented in the bill as regular, roman text.

K. and L. Final enactment clauses

Some bills have one or more final enactment clauses that can be used for several purposes such as to repeal a Code section, to delay the effective date of a bill, to direct a state agency to perform a specific task, or to place conditions on when a bill may go into effect.

Appendix C: What Does That Look Like?

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VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 607

An Act to amend and reenact §§ 18.2-513 and 18.2-514 of the Code of Virginia, relating to racketeering offenses; penalty.

[H 2166]

Approved March 26, 2023

Be it enacted by the General Assembly of Virginia:

1. That §§ 18.2-513 and 18.2-514 of the Code of Virginia are amended and reenacted as follows:

§ 18.2-513. Definitions.

As used in this chapter:

"Criminal street gang" means the same as that term is defined in § 18.2-46.1.

"Enterprise" includes any of the following: sole proprietorship, partnership, corporation, business trust, criminal street gang, or other group of three or more individuals associated for the purpose of criminal activity.

"Proceeds" means the same as that term is defined in § 18.2-246.2.

"Racketeering activity" means to commit, attempt to commit, or conspire to commit or to solicit, coerce, or intimidate another person to commit two or more of the following offenses: Article 2.1 (§ 18.2-46.1 et seq.) of Chapter 4, § 18.2-460; a felony offense of § 3.2-4212, 3.2-4219, 10.1-1455, 18.2-31, 18.2-32, 18.2-32.1, 18.2-33, or 18.2-35, Article 2.2 (§ 18.2-46.4 et seq.) of Chapter 4, § 18.2-47, 18.2-48, 18.2-48.1, 18.2-49, 18.2-51, 18.2-51.2, 18.2-52, 18.2-53, 18.2-55, 18.2-58, 18.2-59, 18.2-77, 18.2-79, 18.2-80, 18.2-89, 18.2-90, 18.2-91, 18.2-92, 18.2-93, or 18.2-95, or 18.2-96, Article 4 (§ 18.2-111 et seq.) of Chapter 5, Article 1 (§ 18.2-168 et seq.) of Chapter 6, § 18.2-178 or 18.2-186, Article 6 (§ 18.2-191 et seq.) of Chapter 6, Article 9 (§ 18.2-246.1 et seq.) of Chapter 6, § 18.2-246.13, Article 1 (§ 18.2-247 et seq.) of Chapter 7, § 18.2-279, 18.2-286.1, 18.2-289, 18.2-300, 18.2-308.2, 18.2-308.2:1, 18.2-328, 18.2-346, 18.2-346.01, 18.2-348, 18.2-348.1, 18.2-349, 18.2-355, 18.2-356, 18.2-357, 18.2-357.1, 18.2-368, 18.2-369, or 18.2-374.1, Article 8 (§ 18.2-433.1 et seq.) of Chapter 9, Article 1 (§ 18.2-434 et seq.) of Chapter 10, Article 2 (§ 18.2-438 et seq.) of Chapter 10, Article 3 (§ 18.2-446 et seq.) of Chapter 10, Article 1.1 (§ 18.2-498.1 et seq.) of Chapter 12, § 3.2-6571, 18.2-516, 32.1-314, 58.1-1008.2, 58.1-1017, or 58.1-1017.1; or any substantially similar offenses under the laws of any other state, the District of Columbia, or the United States or its territories.

§ 18.2-514. Racketeering offenses.

A. It shall be unlawful for an enterprise, ~~or for~~ any person who is directed by an organizer, supervisor, or manager of an enterprise, or any person who occupies a position of organizer, supervisor, or manager of an enterprise, to receive or distribute any proceeds or anything of value known to have been derived directly from racketeering activity and to use or invest an aggregate of \$10,000 or more of such proceeds or such things of value in the acquisition of any title to, or any right, interest, or equity in, real property, or in the establishment or operation of any enterprise.

B. It shall be unlawful for any enterprise, or for any person who occupies a position of organizer, supervisor, or manager of an enterprise, to directly acquire or maintain any interest in or control of any enterprise or real property through racketeering activity.

C. It shall be unlawful for any person employed by, or associated with, any enterprise to conduct or participate, directly or indirectly, in such enterprise through racketeering activity.

D. It shall be unlawful for any person to conspire to violate any of the provisions of subsection A, B, or C.

E. Each violation of this section is a separate and distinct felony punishable in accordance with § 18.2-515.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities; therefore, Chapter 2 of the Acts of Assembly of 2022, Special Session I, requires the Virginia Criminal Sentencing Commission to assign a minimum fiscal impact of \$50,000. Pursuant to § 30-19.1:4 of the Code of Virginia, the estimated amount of the necessary appropriation cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

Commending Resolution

2020 SESSION

ENROLLED

SENATE JOINT RESOLUTION NO. 145

Commending Deborah Warrick Lamb.

Agreed to by the Senate, February 27, 2020
Agreed to by the House of Delegates, March 2, 2020

WHEREAS, Deborah Warrick Lamb, an accomplished information systems professional at the University of Virginia Medical Center, retired after more than 40 years of exceptional service to the community; and

WHEREAS, a native of Charlottesville, Deborah Lamb raised her family in Crozet, where she still resides; she began her long career with the University of Virginia Medical Center in 1980 as a payroll technician; and

WHEREAS, while working full-time, Deborah Lamb attended night school to earn an associate's degree from Piedmont Virginia Community College, a bachelor's degree from Mary Baldwin University, and a master's degree from Averett University; and

WHEREAS, Deborah Lamb's hard work and determination paid dividends; she was promoted multiple times, becoming a payroll supervisor, systems operations supervisor, and clinical systems application analyst; and

WHEREAS, Deborah Lamb offered her insights and expertise to the Nursing, Perioperative/Surgical Services, and Health Information Technology departments; she worked on many innovative projects, such as the creation of an information technology help desk and the transition from manual to automated payroll systems; and

WHEREAS, after leading the hospital-wide integration of Epic software, Deborah Lamb finished her career as a senior analyst maintaining the Epic Anesthesia and Epic OpTime record management systems; and

WHEREAS, in her well-earned retirement, Deborah Lamb plans to travel, devote more attention to personal projects, and spend time with her beloved family; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby commend Deborah Warrick Lamb on the occasion of her retirement from the University of Virginia Medical Center; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to Deborah Warrick Lamb as an expression of the General Assembly's admiration for her achievements and best wishes for a happy retirement.

ENROLLED
SJ145ER

Memorial resolution

2019 SESSION

ENROLLED

HOUSE JOINT RESOLUTION NO. 948

Celebrating the life of Annie Lee Farmer McGuire.

Agreed to by the House of Delegates, February 18, 2019
Agreed to by the Senate, February 21, 2019

WHEREAS, Annie Lee Farmer McGuire, a loving wife, mother, and grandmother, and a woman of deep and abiding faith who made many contributions to her community, died on January 16, 2019; and

WHEREAS, a native of Wytheville, Annie McGuire married her husband, Harold, in 1956; the couple spent 53 joyous years together until his death in 2009; and

WHEREAS, Annie and Harold McGuire served and safeguarded the community together as longtime members of the Tuckahoe Volunteer Rescue Squad; Annie McGuire originally served in the squad's auxiliary, then became one of its first female members and was certified as an emergency medical technician; and

WHEREAS, after retiring from SunTrust in 2005, Annie McGuire devoted her time to her church and to community service; she enjoyed fellowship and worship with the congregation of Good Shepherd United Methodist Church and offered hope and support to the homeless as an active volunteer at CARITAS; and

WHEREAS, affectionately known as "Mamaw," Annie McGuire never met a stranger, and she was a mother figure to countless people over the years, making everyone around her feel welcome and loved; and

WHEREAS, Annie McGuire provided end of life care to her mother, husband, cousin, and sister, and her kindness, compassion, and dedication to family and friends were unparalleled; and

WHEREAS, Annie McGuire will be fondly remembered and greatly missed by her children, Deana and Lori, and their families, and numerous other family members and friends; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of Annie Lee Farmer McGuire; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Annie Lee Farmer McGuire as an expression of the General Assembly's respect for her memory.

ENROLLED

H1948ER

Study resolution (JLARC)

2016 SESSION

ENROLLED

HOUSE JOINT RESOLUTION NO. 157

Directing the Joint Legislative Audit and Review Commission to review the Virginia Community College System. Report.

Agreed to by the House of Delegates, February 11, 2016
Agreed to by the Senate, February 23, 2016

WHEREAS, the Joint Legislative Audit and Review Commission has not comprehensively reviewed Virginia's Community College System since 1991; and

WHEREAS, Virginia's Community College System works with local school systems, four-year public institutions of higher education, and employers to develop credit, noncredit, and dual enrollment courses for those seeking degrees, credentials, and course credits; and

WHEREAS, Virginia's two-year institutions of higher education offer a less costly alternative to four-year institutions of higher education, but enrollment at two-year institutions constitutes a smaller percentage of the Commonwealth's total undergraduate enrollment than a decade ago; and

WHEREAS, between FY 2006 and FY 2015, general fund appropriations to the Virginia Community College System rose \$53 million, the eighth largest increase of all state agencies; and

WHEREAS, between FY 2006 and FY 2015, the Virginia Community College System's central office spending rose 128 percent and staffing rose 39 percent; and

WHEREAS, the Virginia Community College System comprises 23 two-year public institutions of higher education with varying levels of student enrollment and spending and differing circumstances in which to raise revenue from public and private sources; and

WHEREAS, the Virginia Community College System comprises 40 campuses across the Commonwealth with total capital assets valued at \$1.34 billion; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Legislative Audit and Review Commission be directed to review the Virginia Community College System.

In conducting its study, the Joint Legislative Audit and Review Commission (the Commission) shall (i) evaluate the system's success in providing Virginians with the education, training, and credentials needed to succeed in the workforce; (ii) determine whether the system's mission is aligned with the Commonwealth's educational and workforce development priorities and complements the missions of the Commonwealth's secondary and four-year higher education systems and its higher education centers, including through dual enrollment and transfer agreements; (iii) assess the system's success in making educational and training opportunities affordable; (iv) assess the spending and allocation of funds within the system; (v) assess how well the system's central office supports each institution; (vi) assess the adequacy of centralized data and information systems to measure institutional effectiveness and to support sound funding decisions; (vii) compare Virginia's Community College System to the community college systems in other states; and (viii) review other issues and make recommendations as appropriate.

All agencies of the Commonwealth, including the Virginia Community College System, the State Council of Higher Education for Virginia, the Department of Education, the Virginia Employment Commission, and local school divisions, shall provide assistance to the Joint Legislative Audit and Review Commission for this study, upon request.

The Joint Legislative Audit and Review Commission shall complete its meetings for the first year by November 30, 2016, and for the second year by November 30, 2017, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year. Each executive summary shall state whether the Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summaries and reports shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

ENROLLED
HJ157ER

Study resolution (executive)

2023 SESSION

ENROLLED

SENATE JOINT RESOLUTION NO. 258

Requesting the Department of Energy to study the economic and environmental impacts of eliminating waste coal piles in Southwest Virginia. Report.

Agreed to by the Senate, February 22, 2023
Agreed to by the House of Delegates, February 17, 2023

WHEREAS, the material left over from coal mining has resulted in garbage of bituminous (GOB) piles that contain mining waste and waste coal throughout Southwest Virginia; and

WHEREAS, the 1977 Surface Mining Control and Reclamation Act (SMCRA) federalized regulatory control over coal surface mining, but also held landowners harmless for abandoned mine land features created prior to the SMCRA, which include waste coal piles otherwise known as waste coal or GOB piles; and

WHEREAS, the result of holding landowners harmless for these "pre-law" sites is that the Commonwealth is ultimately responsible for cleaning up the nearly 152 known GOB piles that are ubiquitous in Southwest Virginia at an estimated liability as high as \$2.4 billion just to reclaim the sites; and

WHEREAS, the estimated 80 million cubic yards of material spread over 3,300 acres contributes over 20,000 tons of sediment to Virginia's waterways, annually discharging acidic water into watersheds that can include iron, manganese, and aluminum in some of the most biodiverse rivers in the United States; and

WHEREAS, these GOB piles are subject to random uncontrolled fires and the United States Geological Survey reports that these coal fires pose multiple threats to the global environment because they emit greenhouse gases and other toxic substances that threaten human and environmental health; and

WHEREAS, currently, the only viable option to eliminate this hazard permanently is to combust the material at the Virginia City Hybrid Energy Center (VCHC) or other approved facilities, while non-permanent solutions include capping or interring the material, exposing the Commonwealth to a long-term maintenance liability that would exceed the initial liability to reclaim the sites; and

WHEREAS, since VCHC's commissioning, it has burned over 10 million tons of material and has spurred a self-sustaining industry, GOB reclamation, that supports over 100 jobs; and

WHEREAS, the Commonwealth must fully evaluate both the economic and environmental impacts of GOB piles to Southwest Virginia versus the impact of a fully operating VCHC facility or other approved facilities and gauge the complete economic impact to the Commonwealth should VCHC or other approved facilities be idled and the full liability of the cleanup be shouldered by taxpayers; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Department of Energy be requested to study the economic and environmental impacts of eliminating waste coal piles in Southwest Virginia.

In conducting its study, the Department of Energy (the Department) shall convene a work group of stakeholders featuring representatives from state and local governments, investor-owned utilities, environmental organizations, the waste coal reclamation industry, and others deemed appropriate by the Department. The Department shall hold at least one public meeting and shall create a mechanism to receive public comment for consideration during the study.

The Department shall examine various use case scenarios ranging from capping all existing waste coal piles in place to combusting all the material at VCHC or other approved facilities. Each scenario considered by the Department shall contain an analysis of the direct and indirect economic and environmental benefits of that particular scenario.

All agencies of the Commonwealth shall provide assistance to the Department for this study, upon request.

The Department shall complete its meetings by November 30, 2023, and shall submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations, if any, for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2024 Regular Session of the General Assembly and shall be posted on the General Assembly's website.

ENROLLED
S1258ER

Amending a charter

VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 65

An Act to amend and reenact §§ 12.03, 12.04, and 12.05 of Chapter 576 of the Acts of Assembly of 1978, which provided a charter for the City of Newport News, relating to real estate assessment.

[S 829]

Approved March 21, 2023

Be it enacted by the General Assembly of Virginia:

1. That §§ 12.03, 12.04, and 12.05 of Chapter 576 of the Acts of Assembly of 1978 are amended and reenacted as follows:

§ 12.03. Board of review; composition; appointment, term and compensation of members; vacancies.

~~Notwithstanding any provision of §§ 58-895 to 58-902 and 58-914 Pursuant to § 58.1-3370 of the Code of Virginia, as amended, the courts of record en banc of the city or the judges thereof in vacation shall, annually, appoint for the city, a board of review of real estate assessments to be composed of three members, who shall be freeholders of the city for which they serve. The terms of such members shall commence on September 1 of the year in which they are appointed and shall expire on the thirtieth day of November of the year in which they are appointed, unless their terms are extended. Such courts or the judges thereof in vacation may extend the terms of the members of the board of review and shall fill any vacancy therein for the unexpired term. The members of the board shall receive per diem compensation for the time actually engaged in the duties of the board to be fixed by the council of the city, and to be paid out of the treasury of the city, and the council may limit the per diem compensation to such number of days as, in its judgment, is sufficient for the completion of the work of the board.~~

§ 12.04. ~~Same~~ Board of review; powers; procedural regulations.

Such board of review shall have and may exercise the power to revise, correct and amend any assessment of real estate made in the year in which they serve, and to that end shall have all powers conferred upon boards of equalization by §§ ~~58-903 to 58-912~~ 58.1-3378 through 58.1-3387, inclusive, of the Code of Virginia, as amended. ~~Notwithstanding any provisions of such sections, however, the board of review may adopt any regulations providing for the oral presentation, with formal petitions or other pleadings of requests for review, and looking to the further facilitation and simplifications of oral and written information for the purpose of facilitating the orderly presentation and consideration of proceedings before the board.~~

§ 12.05. ~~Same~~ Board of review; appeal.

Any person, or the city, aggrieved by any assessment made by the board of review may apply for relief in the manner provided by §§ ~~58-1145 to 58-1171, inclusive,~~ Article 5 (§ 58.1-3980 et seq.) of Chapter 39 of Title 58.1 of the Code of Virginia, as amended, ~~for taxable years beginning on or after July 1, 2023; however, no person aggrieved by any assessment made by the assessor may apply for or be entitled to relief from the circuit court pursuant to said sections of the Code of Virginia until the assessment complained of has first been reviewed by and acted upon by the board of review, as permitted by § 58.1-3350 of the Code of Virginia, as amended.~~

Constitutional amendment:
first reference

VIRGINIA ACTS OF ASSEMBLY -- 2019 SESSION

CHAPTER 821

HOUSE JOINT RESOLUTION NO. 615

Proposing an amendment to Section 6 of Article II of the Constitution of Virginia and proposing an amendment to the Constitution of Virginia by adding in Article II a section numbered 6-A, relating to apportionment; Virginia Redistricting Commission.

Agreed to by the House of Delegates, February 23, 2019

Agreed to by the Senate, February 23, 2019

RESOLVED by the House of Delegates, the Senate concurring, a majority of the members elected to each house agreeing, That the following amendments to the Constitution of Virginia be, and the same hereby are, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 6 of Article II of the Constitution of Virginia and amend the Constitution of Virginia by adding in Article II a section numbered 6-A as follows:

ARTICLE II
FRANCHISE AND OFFICERS

Section 6. Apportionment.

Members of the House of Representatives of the United States and members of the Senate and of the House of Delegates of the General Assembly shall be elected from electoral districts established by the General Assembly pursuant to Section 6-A of this Constitution. Every electoral district shall be composed of contiguous and compact territory and shall be so constituted as to give, as nearly as is practicable, representation in proportion to the population of the district. Every electoral district shall be drawn in accordance with the requirements of federal and state laws that address racial and ethnic fairness, including the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States and provisions of the Voting Rights Act of 1965, as amended, and judicial decisions interpreting such laws. Districts shall provide, where practicable, opportunities for racial and ethnic communities to elect candidates of their choice.

The General Assembly shall reapportion the Commonwealth shall be reapportioned into electoral districts in accordance with this section and Section 6-A in the year 2011 2021 and every ten years thereafter.

Any such decennial reapportionment law shall take effect immediately and not be subject to the limitations contained in Article IV, Section 13, of this Constitution.

The districts delineated in the decennial reapportionment law shall be implemented for the November general election for the United States House of Representatives, Senate, or House of Delegates, respectively, that is held immediately prior to the expiration of the term being served in the year that the reapportionment law is required to be enacted. A member in office at the time that a decennial redistricting law is enacted shall complete his term of office and shall continue to represent the district from which he was elected for the duration of such term of office so long as he does not move his residence from the district from which he was elected. Any vacancy occurring during such term shall be filled from the same district that elected the member whose vacancy is being filled.

Section 6-A. Virginia Redistricting Commission.

(a) In the year 2020 and every ten years thereafter, the Virginia Redistricting Commission (the Commission) shall be convened for the purpose of establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly pursuant to Article II, Section 6 of this Constitution.

(b) The Commission shall consist of sixteen commissioners who shall be selected in accordance with the provisions of this subsection.

(1) Eight commissioners shall be legislative members, four of whom shall be members of the Senate of Virginia and four of whom shall be members of the House of Delegates. These commissioners shall be appointed no later than December 1 of the year ending in zero and shall continue to serve until their successors are appointed.

(A) Two commissioners shall represent the political party having the highest number of members in the Senate of Virginia and shall be appointed by the President pro tempore of the Senate of Virginia.

(B) Two commissioners shall represent the political party having the next highest number of members in the Senate of Virginia and shall be appointed by the leader of that political party.

(C) Two commissioners shall represent the political party having the highest number of members in the House of Delegates and shall be appointed by the Speaker of the House of Delegates.

(D) Two commissioners shall represent the political party having the next highest number of

Constitutional amendment: first reference

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members in the House of Delegates and shall be appointed by the leader of that political party.

(2) Eight commissioners shall be citizen members who shall be selected in accordance with the provisions of this subdivision and in the manner determined by the General Assembly by general law.

(A) There shall be a Redistricting Commission Selection Committee (the Committee) consisting of five retired judges of the circuit courts of Virginia. By November 15 of the year ending in zero, the Chief Justice of the Supreme Court of Virginia shall certify to the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of Virginia of the political party having the next highest number of members in the Senate a list of retired judges of the circuit courts of Virginia who are willing to serve on the Committee, and these members shall each select a judge from the list. The four judges selected to serve on the Committee shall select, by a majority vote, a judge from the list prescribed herein to serve as the fifth member of the Committee and to serve as the chairman of the Committee.

(B) By January 1 of the year ending in one, the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of the political party having the next highest number of members in the Senate shall each submit to the Committee a list of at least sixteen citizen candidates for service on the Commission. Such citizen candidates shall meet the criteria established by the General Assembly by general law.

The Committee shall select, by a majority vote, two citizen members from each list submitted. No member or employee of the Congress of the United States or of the General Assembly shall be eligible to serve as a citizen member.

(c) By February 1 of the year ending in one, the Commission shall hold a public meeting at which it shall select a chairman from its membership. The chairman shall be a citizen member and shall be responsible for coordinating the work of the Commission.

(d) The Commission shall submit to the General Assembly plans for districts for the Senate and the House of Delegates of the General Assembly no later than 45 days following the receipt of census data and shall submit to the General Assembly plans for districts for the United States House of Representatives no later than 60 days following the receipt of census data or by the first day of July of that year, whichever occurs later.

(1) To be submitted as a proposed plan for districts for members of the United States House of Representatives, a plan shall receive affirmative votes of at least six of the eight legislative members and six of the eight citizen members.

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

(3) To be submitted as a proposed plan for districts for members of the House of Delegates, a plan shall receive affirmative votes of at least six of the eight legislative members, including at least three of the four legislative members who are members of the House of Delegates, and at least six of the eight citizen members.

(e) Plans for districts for the Senate and the House of Delegates shall be embodied in and voted on as a single bill. The vote on any bill embodying a plan for districts shall be taken in accordance with the provisions of Article IV, Section 11 of this Constitution, except that no amendments shall be permitted. Such bills shall not be subject to the provisions contained in Article V, Section 6 of this Constitution.

(f) Within fifteen days of receipt of a plan for districts, the General Assembly shall take a vote on the bill embodying that plan in accordance with the provisions of subsection (e). If the General Assembly fails to adopt such bill by this deadline, the Commission shall submit a new plan for districts to the General Assembly within fourteen days of the General Assembly's failure to adopt the bill. The General Assembly shall take a vote on the bill embodying such plan within seven days of receipt of the plan. If the General Assembly fails to adopt such bill by this deadline, the districts shall be established by the Supreme Court of Virginia.

(g) If the Commission fails to submit a plan for districts by the deadline set forth in subsection (d), the Commission shall have fourteen days following its initial failure to submit a plan to the General Assembly. If the Commission fails to submit a plan for districts to the General Assembly by this deadline, the districts shall be established by the Supreme Court of Virginia.

If the Commission submits a plan for districts within fourteen days following its initial failure to submit a plan, the General Assembly shall take a vote on the bill embodying such plan within seven days of its receipt. If the General Assembly fails to adopt such bill by this deadline, the districts shall be established by the Supreme Court of Virginia.

(h) All meetings of the Commission shall be open to the public. Prior to proposing any redistricting plans and prior to voting on redistricting plans, the Commission shall hold at least three public hearings in different parts of the Commonwealth to receive and consider comments from the public.

(i) All records and documents of the Commission, or any individual or group performing delegated

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functions of or advising the Commission, related to the Commission's work, including internal communications and communications from outside parties, shall be considered public information.

Constitutional amendment:
second reference

VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION

CHAPTER 1196

SENATE JOINT RESOLUTION NO. 18

Proposing an amendment to Section 6 of Article II of the Constitution of Virginia and proposing an amendment to the Constitution of Virginia by adding in Article II a section numbered 6-A, relating to apportionment; Virginia Redistricting Commission.

Agreed to by the Senate, February 11, 2020

Agreed to by the House of Delegates, March 5, 2020

WHEREAS, proposed amendments to the Constitution of Virginia, hereinafter set forth, were agreed to by a majority of the members elected to each of the two houses of the General Assembly at the regular session of 2019 and referred to this, the next regular session held after the 2019 general election of members of the House of Delegates, as required by the Constitution of Virginia; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the following amendments to the Constitution of Virginia be, and the same hereby are, proposed in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 6 of Article II of the Constitution of Virginia and amend the Constitution of Virginia by adding in Article II a section numbered 6-A as follows:

ARTICLE II
FRANCHISE AND OFFICERS

Section 6. Apportionment.

Members of the House of Representatives of the United States and members of the Senate and of the House of Delegates of the General Assembly shall be elected from electoral districts established by the General Assembly pursuant to Section 6-A of this Constitution. Every electoral district shall be composed of contiguous and compact territory and shall be so constituted as to give, as nearly as is practicable, representation in proportion to the population of the district. *Every electoral district shall be drawn in accordance with the requirements of federal and state laws that address racial and ethnic fairness, including the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States and provisions of the Voting Rights Act of 1965, as amended, and judicial decisions interpreting such laws. Districts shall provide, where practicable, opportunities for racial and ethnic communities to elect candidates of their choice.*

The General Assembly shall reapportion the Commonwealth shall be reapportioned into electoral districts in accordance with this section and Section 6-A in the year ~~2011~~ 2021 and every ten years thereafter.

Any such decennial reapportionment law shall take effect immediately and not be subject to the limitations contained in Article IV, Section 13, of this Constitution.

The districts delineated in the decennial reapportionment law shall be implemented for the November general election for the United States House of Representatives, Senate, or House of Delegates, respectively, that is held immediately prior to the expiration of the term being served in the year that the reapportionment law is required to be enacted. A member in office at the time that a decennial redistricting law is enacted shall complete his term of office and shall continue to represent the district from which he was elected for the duration of such term of office so long as he does not move his residence from the district from which he was elected. Any vacancy occurring during such term shall be filled from the same district that elected the member whose vacancy is being filled.

Section 6-A. Virginia Redistricting Commission.

(a) *In the year 2020 and every ten years thereafter, the Virginia Redistricting Commission (the Commission) shall be convened for the purpose of establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly pursuant to Article II, Section 6 of this Constitution.*

(b) *The Commission shall consist of sixteen commissioners who shall be selected in accordance with the provisions of this subsection.*

(1) *Eight commissioners shall be legislative members, four of whom shall be members of the Senate of Virginia and four of whom shall be members of the House of Delegates. These commissioners shall be appointed no later than December 1 of the year ending in zero and shall continue to serve until their successors are appointed.*

(A) *Two commissioners shall represent the political party having the highest number of members in the Senate of Virginia and shall be appointed by the President pro tempore of the Senate of Virginia.*

(B) *Two commissioners shall represent the political party having the next highest number of members in the Senate of Virginia and shall be appointed by the leader of that political party.*

(C) *Two commissioners shall represent the political party having the highest number of members in the House of Delegates and shall be appointed by the Speaker of the House of Delegates.*

(D) *Two commissioners shall represent the political party having the next highest number of members in the House of Delegates and shall be appointed by the leader of that political party.*

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(2) Eight commissioners shall be citizen members who shall be selected in accordance with the provisions of this subdivision and in the manner determined by the General Assembly by general law.

(A) There shall be a Redistricting Commission Selection Committee (the Committee) consisting of five retired judges of the circuit courts of Virginia. By November 15 of the year ending in zero, the Chief Justice of the Supreme Court of Virginia shall certify to the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of Virginia of the political party having the next highest number of members in the Senate a list of retired judges of the circuit courts of Virginia who are willing to serve on the Committee, and these members shall each select a judge from the list. The four judges selected to serve on the Committee shall select, by a majority vote, a judge from the list prescribed herein to serve as the fifth member of the Committee and to serve as the chairman of the Committee.

(B) By January 1 of the year ending in one, the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of the political party having the next highest number of members in the Senate shall each submit to the Committee a list of at least sixteen citizen candidates for service on the Commission. Such citizen candidates shall meet the criteria established by the General Assembly by general law.

The Committee shall select, by a majority vote, two citizen members from each list submitted. No member or employee of the Congress of the United States or of the General Assembly shall be eligible to serve as a citizen member.

(c) By February 1 of the year ending in one, the Commission shall hold a public meeting at which it shall select a chairman from its membership. The chairman shall be a citizen member and shall be responsible for coordinating the work of the Commission.

(d) The Commission shall submit to the General Assembly plans for districts for the Senate and the House of Delegates of the General Assembly no later than 45 days following the receipt of census data and shall submit to the General Assembly plans for districts for the United States House of Representatives no later than 60 days following the receipt of census data or by the first day of July of that year, whichever occurs later.

(1) To be submitted as a proposed plan for districts for members of the United States House of Representatives, a plan shall receive affirmative votes of at least six of the eight legislative members and six of the eight citizen members.

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

(3) To be submitted as a proposed plan for districts for members of the House of Delegates, a plan shall receive affirmative votes of at least six of the eight legislative members, including at least three of the four legislative members who are members of the House of Delegates, and at least six of the eight citizen members.

(e) Plans for districts for the Senate and the House of Delegates shall be embodied in and voted on as a single bill. The vote on any bill embodying a plan for districts shall be taken in accordance with the provisions of Article IV, Section 11 of this Constitution, except that no amendments shall be permitted. Such bills shall not be subject to the provisions contained in Article V, Section 6 of this Constitution.

(f) Within fifteen days of receipt of a plan for districts, the General Assembly shall take a vote on the bill embodying that plan in accordance with the provisions of subsection (e). If the General Assembly fails to adopt such bill by this deadline, the Commission shall submit a new plan for districts to the General Assembly within fourteen days of the General Assembly's failure to adopt the bill. The General Assembly shall take a vote on the bill embodying such plan within seven days of receipt of the plan. If the General Assembly fails to adopt such bill by this deadline, the districts shall be established by the Supreme Court of Virginia.

(g) If the Commission fails to submit a plan for districts by the deadline set forth in subsection (d), the Commission shall have fourteen days following its initial failure to submit a plan to the General Assembly. If the Commission fails to submit a plan for districts to the General Assembly by this deadline, the districts shall be established by the Supreme Court of Virginia.

If the Commission submits a plan for districts within fourteen days following its initial failure to submit a plan, the General Assembly shall take a vote on the bill embodying such plan within seven days of its receipt. If the General Assembly fails to adopt such bill by this deadline, the districts shall be established by the Supreme Court of Virginia.

(h) All meetings of the Commission shall be open to the public. Prior to proposing any redistricting plans and prior to voting on redistricting plans, the Commission shall hold at least three public hearings in different parts of the Commonwealth to receive and consider comments from the public.

(i) All records and documents of the Commission, or any individual or group performing delegated functions of or advising the Commission, related to the Commission's work, including internal

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communications and communications from outside parties, shall be considered public information.

Constitutional amendment:
voter referendum (ballot bill)

VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION

CHAPTER 1071

An Act to provide for the submission to the voters of a proposed amendment to Section 6 of Article II of the Constitution of Virginia and a proposed amendment to the Constitution of Virginia by adding in Article II a section numbered 6-A, relating to apportionment; Virginia Redistricting Commission.

[S 236]

Approved April 10, 2020

Be it enacted by the General Assembly of Virginia:

1. § 1. It shall be the duty of the officers conducting the election directed by law to be held on the Tuesday after the first Monday in November 2020, at the places appointed for holding the same, to open a poll and take the sense of the qualified voters upon the ratification or rejection of the proposed amendments to the Constitution of Virginia, contained herein and in the joint resolution proposing such amendments, to wit:

Amend Section 6 of Article II of the Constitution of Virginia and amend the Constitution of Virginia by adding in Article II a section numbered 6-A as follows:

ARTICLE II
FRANCHISE AND OFFICERS

Section 6. Apportionment.

Members of the House of Representatives of the United States and members of the Senate and of the House of Delegates of the General Assembly shall be elected from electoral districts established by the General Assembly pursuant to Section 6-A of this Constitution. Every electoral district shall be composed of contiguous and compact territory and shall be so constituted as to give, as nearly as is practicable, representation in proportion to the population of the district. Every electoral district shall be drawn in accordance with the requirements of federal and state laws that address racial and ethnic fairness, including the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States and provisions of the Voting Rights Act of 1965, as amended, and judicial decisions interpreting such laws. Districts shall provide, where practicable, opportunities for racial and ethnic communities to elect candidates of their choice.

The General Assembly shall reapportion the Commonwealth shall be reapportioned into electoral districts in accordance with this section and Section 6-A in the year 2011 2021 and every ten years thereafter.

Any such decennial reapportionment law shall take effect immediately and not be subject to the limitations contained in Article IV, Section 13, of this Constitution.

The districts delineated in the decennial reapportionment law shall be implemented for the November general election for the United States House of Representatives, Senate, or House of Delegates, respectively, that is held immediately prior to the expiration of the term being served in the year that the reapportionment law is required to be enacted. A member in office at the time that a decennial redistricting law is enacted shall complete his term of office and shall continue to represent the district from which he was elected for the duration of such term of office so long as he does not move his residence from the district from which he was elected. Any vacancy occurring during such term shall be filled from the same district that elected the member whose vacancy is being filled.

Section 6-A. Virginia Redistricting Commission.

(a) In the year 2020 and every ten years thereafter, the Virginia Redistricting Commission (the Commission) shall be convened for the purpose of establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly pursuant to Article II, Section 6 of this Constitution.

(b) The Commission shall consist of sixteen commissioners who shall be selected in accordance with the provisions of this subsection.

(1) Eight commissioners shall be legislative members, four of whom shall be members of the Senate of Virginia and four of whom shall be members of the House of Delegates. These commissioners shall be appointed no later than December 1 of the year ending in zero and shall continue to serve until their successors are appointed.

(A) Two commissioners shall represent the political party having the highest number of members in the Senate of Virginia and shall be appointed by the President pro tempore of the Senate of Virginia.

(B) Two commissioners shall represent the political party having the next highest number of members in the Senate of Virginia and shall be appointed by the leader of that political party.

(C) Two commissioners shall represent the political party having the highest number of members in the House of Delegates and shall be appointed by the Speaker of the House of Delegates.

(D) Two commissioners shall represent the political party having the next highest number of

Constitutional amendment:
voter referendum (ballot bill)

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members in the House of Delegates and shall be appointed by the leader of that political party.

(2) Eight commissioners shall be citizen members who shall be selected in accordance with the provisions of this subdivision and in the manner determined by the General Assembly by general law.

(A) There shall be a Redistricting Commission Selection Committee (the Committee) consisting of five retired judges of the circuit courts of Virginia. By November 15 of the year ending in zero, the Chief Justice of the Supreme Court of Virginia shall certify to the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of Virginia of the political party having the next highest number of members in the Senate a list of retired judges of the circuit courts of Virginia who are willing to serve on the Committee, and these members shall each select a judge from the list. The four judges selected to serve on the Committee shall select, by a majority vote, a judge from the list prescribed herein to serve as the fifth member of the Committee and to serve as the chairman of the Committee.

(B) By January 1 of the year ending in one, the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of the political party having the next highest number of members in the Senate shall each submit to the Committee a list of at least sixteen citizen candidates for service on the Commission. Such citizen candidates shall meet the criteria established by the General Assembly by general law.

The Committee shall select, by a majority vote, two citizen members from each list submitted. No member or employee of the Congress of the United States or of the General Assembly shall be eligible to serve as a citizen member.

(c) By February 1 of the year ending in one, the Commission shall hold a public meeting at which it shall select a chairman from its membership. The chairman shall be a citizen member and shall be responsible for coordinating the work of the Commission.

(d) The Commission shall submit to the General Assembly plans for districts for the Senate and the House of Delegates of the General Assembly no later than 45 days following the receipt of census data and shall submit to the General Assembly plans for districts for the United States House of Representatives no later than 60 days following the receipt of census data or by the first day of July of that year, whichever occurs later.

(1) To be submitted as a proposed plan for districts for members of the United States House of Representatives, a plan shall receive affirmative votes of at least six of the eight legislative members and six of the eight citizen members.

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

(3) To be submitted as a proposed plan for districts for members of the House of Delegates, a plan shall receive affirmative votes of at least six of the eight legislative members, including at least three of the four legislative members who are members of the House of Delegates, and at least six of the eight citizen members.

(e) Plans for districts for the Senate and the House of Delegates shall be embodied in and voted on as a single bill. The vote on any bill embodying a plan for districts shall be taken in accordance with the provisions of Article IV, Section 11 of this Constitution, except that no amendments shall be permitted. Such bills shall not be subject to the provisions contained in Article V, Section 6 of this Constitution.

(f) Within fifteen days of receipt of a plan for districts, the General Assembly shall take a vote on the bill embodying that plan in accordance with the provisions of subsection (e). If the General Assembly fails to adopt such bill by this deadline, the Commission shall submit a new plan for districts to the General Assembly within fourteen days of the General Assembly's failure to adopt the bill. The General Assembly shall take a vote on the bill embodying such plan within seven days of receipt of the plan. If the General Assembly fails to adopt such bill by this deadline, the districts shall be established by the Supreme Court of Virginia.

(g) If the Commission fails to submit a plan for districts by the deadline set forth in subsection (d), the Commission shall have fourteen days following its initial failure to submit a plan to the General Assembly. If the Commission fails to submit a plan for districts to the General Assembly by this deadline, the districts shall be established by the Supreme Court of Virginia.

If the Commission submits a plan for districts within fourteen days following its initial failure to submit a plan, the General Assembly shall take a vote on the bill embodying such plan within seven days of its receipt. If the General Assembly fails to adopt such bill by this deadline, the districts shall be established by the Supreme Court of Virginia.

(h) All meetings of the Commission shall be open to the public. Prior to proposing any redistricting plans and prior to voting on redistricting plans, the Commission shall hold at least three public hearings in different parts of the Commonwealth to receive and consider comments from the public.

(i) All records and documents of the Commission, or any individual or group performing delegated

Constitutional amendment:
voter referendum (ballot bill)

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functions of or advising the Commission, related to the Commission's work, including internal communications and communications from outside parties, shall be considered public information.

§ 2. The ballot shall contain the following question:

"Question: Should the Constitution of Virginia be amended to establish a redistricting commission, consisting of eight members of the General Assembly and eight citizens of the Commonwealth, that is responsible for drawing the congressional and state legislative districts that will be subsequently voted on, but not changed by, the General Assembly and enacted without the Governor's involvement *and to give the responsibility of drawing districts to the Supreme Court of Virginia if the redistricting commission fails to draw districts or the General Assembly fails to enact districts by certain deadlines?*"

The ballots shall be prepared, distributed and voted, and the results of the election shall be ascertained and certified, in the manner prescribed by § 24.2-684 of the Code of Virginia. The State Board of Elections shall comply with § 30-19.9 of the Code and shall cause to be sent to the electoral boards of each county and city sufficient copies of the full text of the amendments and question contained herein for the officers of election to post in each polling place on election day.

The electoral board of each county and city shall make out, certify and forward an abstract of the votes cast for and against such proposed amendments in the manner now prescribed by law in relation to votes cast in general elections.

The State Board of Elections shall open and canvass such abstracts and examine and report the whole number of votes cast at the election for and against such amendments in the manner now prescribed by law in relation to votes cast in general elections. The State Board of Elections shall record a certified copy of such report in its office and without delay make out and transmit to the Governor an official copy of such report, certified by it. The Governor shall without delay make proclamation of the result, stating therein the aggregate vote for and against the amendments.

If a majority of those voting vote in favor of the amendments, they shall become effective on November 15, 2020.

The expenses incurred in conducting this election shall be defrayed as in the case of election of members of the General Assembly.

Constitutional amendment:
ballot explanation

Explanation for Proposed Constitutional Amendment
To Be Voted on at the November 3, 2020, Election

PROPOSED CONSTITUTIONAL AMENDMENT

Article II. Franchise and Officers.
Section 6. Apportionment.
Section 6-A. Virginia Redistricting Commission

BALLOT QUESTION

Should the Constitution of Virginia be amended to establish a redistricting commission, consisting of eight members of the General Assembly and eight citizens of the Commonwealth, that is responsible for drawing the congressional and state legislative districts that will be subsequently voted on, but not changed by, the General Assembly and enacted without the Governor's involvement and to give the responsibility of drawing districts to the Supreme Court of Virginia if the redistricting commission fails to draw districts or the General Assembly fails to enact districts by certain deadlines?

EXPLANATION

Current Law

Under the current Constitution, the General Assembly and the Governor are responsible for drawing new election districts for the U.S. House of Representatives, the state Senate, and the House of Delegates. These districts are required to be compact and contiguous, and to have populations that are equal to each other.

Proposed Law

The proposed amendment would shift the responsibility of drawing these election districts from the General Assembly and the Governor to a bipartisan commission, made up of 16 persons, half being members of the General Assembly and half being citizens of the Commonwealth. This commission would draw the election districts for the U.S. House of Representatives, the state Senate, and the House of Delegates and then submit the maps to the General Assembly for approval. If the commissioners are unable to agree on proposals for maps by a certain date, or if the General Assembly does not approve the submitted maps by a certain date, the commission is allotted additional time to draw new districts, but if maps are not then submitted or approved, the Supreme Court of Virginia becomes responsible for drawing these election districts.

Constitutional amendment: ballot explanation

The eight legislative commissioners are appointed by the political party leadership in the state Senate and the House of Delegates, with an equal number from each house and from each major political party. The eight citizen commissioners are picked by a committee of five retired circuit court judges. Four of the retired judges are selected by party leaders in the Senate and the House from a list compiled by the Chief Justice of the Supreme Court of Virginia. These four judges pick the fifth judge from the same list. This selection committee then chooses citizen commissioners from lists created by party leaders in the Senate and the House. Members and employees of Congress or the General Assembly cannot be citizen commissioners. Each party leader in each house gives the selection committee a list of at least 16 candidates, and the committee picks two from each list for a total of eight citizen commissioners.

For a plan to be submitted for the General Assembly's approval, at least six of the eight citizen commissioners and at least six of the eight legislative commissioners must agree to it. Additionally, for plans for General Assembly districts to be submitted, at least three of the four Senators on the commission have to agree to the Senate districts plan and at least three of the four Delegates on the commission have to agree to the House of Delegates districts plan. The General Assembly cannot make any changes to these plans, and the Governor cannot veto any plan approved by the General Assembly.

The amendment also adds a requirement that districts provide, where practicable, opportunities for racial and ethnic communities to elect candidates of their choice.

A "yes" vote will make a bipartisan commission responsible for the initial drawing of election districts.

A "no" vote will leave the sole responsibility for drawing the districts with the General Assembly and the Governor.

Word count: 499/500

Approved by House Privileges and Elections, 07/20/2020

Approved by Senate Privileges and Elections, 08/03/2020

VIRGINIA ACTS OF ASSEMBLY -- 2022 SESSION

CHAPTER 448

An Act to authorize the Commonwealth to convey to Smyth County a portion of property previously used by the Department of Behavioral Health and Developmental Services as the Southwestern Virginia Mental Health Institute.

[H 557]

Approved April 11, 2022

Be it enacted by the General Assembly of Virginia:

1. § 1. *The Commonwealth, with approval of the Governor pursuant to § 2.2-1150 of the Code of Virginia, is hereby authorized to convey to Smyth County a parcel of land that is a portion of Tax Map Parcel 211-130-1, containing a building at 281 Bagley Circle, Marion, Virginia, known as the Rehabilitation Building, previously used by the Department of Behavioral Health and Developmental Services as the Southwestern Virginia Mental Health Institute. The conveyance shall be made without consideration and in as-is condition.*

§ 2. *Additionally, the Commonwealth, with approval of the Governor pursuant to § 2.2-1150 of the Code of Virginia, is hereby authorized to convey to Smyth County a parcel of land that is also a portion of Tax Map Parcel 211-130-1 and adjacent to the currently constructed parking lot to the north of the Rehabilitation Building. This parcel of land consists of approximately 2.5 acres and shall be accessed from Bagley Circle (State Route 217). The conveyance shall be made without consideration and in as-is condition.*

§ 3. *The conveyance shall be made in a form approved by the Attorney General. The appropriate officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyances.*

Gubernatorial appointments resolution

2016 SESSION

ENROLLED

SENATE JOINT RESOLUTION NO. 182

Confirming appointments by the Governor of certain persons communicated February 23, 2016.

Agreed to by the Senate, March 3, 2016
Agreed to by the House of Delegates, March 8, 2016

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly confirm the following appointments of certain persons made by Governor Terry McAuliffe on or after February 10, 2016, and communicated to the General Assembly February 23, 2016.

AGRICULTURE AND FORESTRY
Board of Agriculture and Consumer Services

James S. Huffard III, 165 Huffard Lane, Crockett, Virginia 24323, Member, appointed February 10, 2016, to serve an unexpired term beginning November 12, 2015, and ending February 28, 2017, to succeed Mark A. McCann.

AUTHORITY

Virginia Biotechnology Research Partnership Authority Board of Directors

Carrie Hileman Chenery, 508 West Beverley Street, Staunton, Virginia 24401, Member, appointed February 12, 2016, to serve an unexpired term beginning August 21, 2015, and ending June 30, 2016, to succeed Tonya Mallory.

COMMERCE AND TRADE

Board for Professional Soil Scientists, Wetland Professionals, and Geologists

Carlyle Robin Jones, Post Office Box 158, Richmond, Virginia 23218, Member, appointed February 11, 2016, for a term of four years beginning July 1, 2015, and ending June 30, 2019, to succeed James Liu.

Virginia Economic Development Partnership Authority Board of Directors

Ernest Lee Coburn III, 124 Church Street Southeast, Abingdon, Virginia 24210, Member, appointed February 11, 2016, for a term of six years beginning January 1, 2016, and ending December 31, 2021, to succeed himself.

Dan M. Pleasant, 161 Stratford Place, Danville, Virginia 24541, Member, appointed February 10, 2016, for a term of six years beginning January 1, 2016, and ending December 31, 2021, to succeed himself.

COMPACT

Roanoke River Basin Bi-State Commission

Gerald V. Lovelace, Post Office Box 491, Halifax, Virginia 24558, Member, appointed February 10, 2016, to serve an unexpired term beginning July 30, 2015, and ending June 30, 2017, to succeed John H. Field.

EDUCATION

Board of Trustees of the Science Museum of Virginia

Richard S. Groover, 9497 Williamsville Road, Mechanicsville, Virginia 23116, Member, appointed February 19, 2016, to serve an unexpired term beginning May 31, 2015, and ending June 30, 2019, to succeed James T. Roberts.

HEALTH AND HUMAN RESOURCES

Advisory Board on Midwifery

Kim Pekin, 17232 Pickwick Drive, Purcellville, Virginia 20132, Member, appointed February 19, 2016, to serve an unexpired term beginning December 5, 2014, and ending June 30, 2017, to succeed Kim Lane.

Advisory Board on Polysomnographic Technology

Jonathan C. Clark, 1616 Morshedi Court, Henrico, Virginia 23238, Member, appointed February 12, 2016, to serve an unexpired term beginning January 27, 2016, and ending June 30, 2018, to succeed Michelle Sartelle.

Board of Veterinary Medicine

Mary Yancey Spencer, 305 Clovelly Road, Richmond, Virginia 23221, Member, appointed February 19, 2016, for a term of four years beginning July 1, 2015, and ending June 30, 2019, to

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succeed Carole Stadfield.

Family and Children's Trust Fund Board of Trustees

Lawrence Robert Bolling, 214 Fulham Circle, **Richmond**, Virginia 23227, Member, appointed February 19, 2016, to serve an unexpired term beginning February 10, 2016, and ending June 30, 2016, to succeed Dawn Frances Chillon.

State Executive Council for Children's Services

Eddie Worth, 2145 Christiansburg Pike Road Northeast, **Floyd**, Virginia 24091, Member, appointed February 12, 2016, to serve an unexpired term beginning September 1, 2015, and ending June 30, 2016, to succeed Jan Schar.

Substance Abuse Services Council

Diane Williams Barbour, 123 Potomac Run Road, **Fredericksburg**, Virginia 22405, Member, appointed February 19, 2016, for a term of three years beginning July 1, 2014, and ending June 30, 2017, to succeed herself.

Brian L. Hieatt, 569 Peery Addition Road, **Tazewell**, Virginia 24651, Member, appointed February 19, 2016, to serve an unexpired term beginning July 1, 2014, and ending June 30, 2017, to succeed Timothy Carter.

Sandra O'Dell, 20152 Wilderness Road, **Rose Hill**, Virginia 24281, Member, appointed February 19, 2016, to serve an unexpired term beginning July 1, 2014, and ending June 30, 2017, to succeed Robert Johnson.

Sandra O'Dell, 20152 Wilderness Road, **Rose Hill**, Virginia 24281, Chair, appointed February 19, 2016, for a term of two years beginning July 1, 2015, and ending June 30, 2017, to succeed William Williams.

Marjorie Yates, 10201 Battenburg Place, **North Chesterfield**, Virginia 23236, Member, appointed February 19, 2016, to serve an unexpired term beginning July 1, 2014, and ending June 30, 2017, to succeed Joseph Battle.

TECHNOLOGY

E-911 Services Board

Jeffrey T. Merriman, 3741 Heverley Drive, **Glen Allen**, Virginia 23059, Member, appointed February 10, 2016, to serve an unexpired term beginning November 25, 2015, and ending June 30, 2018, to succeed David W. Ogburn, Jr.

TRANSPORTATION

Motor Vehicle Dealer Board

Larry T. Bailey, Sr., 2557 Lakewood Circle, **Chesapeake**, Virginia 23321, Member, appointed February 19, 2016, to serve an unexpired term beginning October 18, 2013, and ending June 30, 2017, to succeed Rodney Williams.

Michael Bor, 123 Matoaka Road, **Richmond**, Virginia 23226, Member, appointed February 19, 2016, for a term of four years beginning July 1, 2015, and ending June 30, 2019, to succeed Larry T. Bailey, Sr.

Robert S. Fisher, 9079 Park Avenue, **Manassas**, Virginia 20110, Member, appointed February 19, 2016, for a term of four years beginning July 1, 2015, and ending June 30, 2019, to succeed Roy Boswell.

Hamid Senior Saghafi, 9130 Mine Run Drive, **Great Falls**, Virginia 22066, Member, appointed February 19, 2016, for a term of four years beginning July 1, 2015, and ending June 30, 2019, to succeed William Hudgins.

VETERANS AND DEFENSE AFFAIRS

Joint Leadership Council of Veterans Service Organizations

Raymond L. Kenney, Jr., 3207 Gaulding Lane, **Richmond**, Virginia 23223, Member, appointed February 10, 2016, to serve an unexpired term beginning December 16, 2015, and ending June 30, 2018, to succeed Terry Labar.

Conference report

JOINT CONFERENCE COMMITTEE REPORT

1 **on House Bill No. 837**

2 We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing
3 vote on **House Bill No. 837**, report as follows:

4 A. We recommend that the Senate Amendment be rejected.

5 B. We recommend that the engrossed bill be accepted with the following amendment to resolve
6 the matter under disagreement:

7 1. After line 144, engrossed

8 insert

9 **4. That the provisions of this act shall not apply until January 1, 2023, to any food**
10 **manufacturer, food storage warehouse, or retail food establishment located in a**
11 **locality that adopted a local food inspection or permitting ordinance prior to**
12 **January 1, 2022.**

13 **5. That the Virginia Department of Agriculture and Consumer Services shall**
14 **work with localities that adopted a local food inspection or permitting ordinance**
15 **prior to January 1, 2022, to address concerns regarding the implementation of**
16 **this act prior to the January 1, 2023, implementation in such localities as set forth**
17 **in the fourth enactment of this act.**

Respectfully submitted,

Delegate Tony O. Wilt

Delegate R. Lee Ware

Delegate Wendy W. Gooditis
Conferees on the part of the House

Senator David W. Marsden

Senator T. Montgomery "Monty" Mason

Senator David R. Suetterlein
Conferees on the part of the Senate

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Appendix D: Other Parts of the Division

1. Legislative Reference Center

The Legislative Reference Center, established pursuant to § 30-28.16 of the Code of Virginia, is a reference library that exists within the Division to support the research needs of the General Assembly. Its collection is primarily related to Virginia legislative history, with archives of House bills dating back to 1879, Senate bills dating back to 1910, Acts of Assembly dating back to 1813, and codified laws spanning the Commonwealth's full history. Other materials, maintained physically or online, include topical reference materials, law publications, and legislative study archives. The Legislative Reference Center also maintains a permanent archive of legislative draft files, which include all of the materials associated with the creation of each bill drafted by the Division. These files are, by law, the confidential property of each bill's original requester and are only released outside of the Division with the permission of the bill's requester.

Legislators and their staff can browse the Legislative Reference Center in person on the fourth floor of the General Assembly Building or can request research assistance from Division staff.

2. Freedom of Information Advisory Council

The Division is home to the Virginia Freedom of Information Advisory Council. Established by the 2000 Session of the General Assembly, the Virginia Freedom of Information Advisory Council (the FOIA Council) is an advisory council in the legislative branch of state government with the purpose of encouraging and facilitating compliance with the Virginia Freedom of Information Act (FOIA). As directed by statute, the FOIA Council is tasked with furnishing advisory opinions concerning FOIA upon the request of any person or public body, conducting training seminars and educational programs for the members and staff of public bodies and other interested persons on the requirements of FOIA, and publishing educational materials on the provisions of FOIA. FOIA Council staff regularly answer questions about FOIA by phone and email from state and local government officials, citizens, and the media. The FOIA Council also serves as a legislative forum to study legislative proposals, bills referred to it by each session of the General Assembly, court opinions, and other access-related issues.

For legislators: FOIA Council staff regularly participate in orientation training sessions for members of the General Assembly and their legislative assistants as arranged by the respective clerks of the House and Senate. Individual legislators may also contact FOIA Council staff for assistance in responding to public records requests. Council staff may assist legislators by discussing FOIA's procedural requirements and any exemptions that may apply that would allow records to be withheld, and by providing sample draft response letters

for legislators to use. However, please be aware that while FOIA Council staff are happy to assist in these ways, they cannot respond to requesters directly on behalf of individual legislators; the actual response is up to each legislator and the legislator's staff. Additionally, individual legislators are also welcome to contact FOIA Council staff with questions about the conduct of public meetings and FOIA-related legislative proposals. Finally, legislators often ask FOIA Council staff for assistance in responding to constituent inquiries about FOIA, either through direct contact with constituents or by providing information to help the legislator or their staff respond.

3. Ethics Council

The Division is home to the Virginia Conflict of Interest and Ethics Advisory Council (the Ethics Council). The Ethics Council was established by law to encourage and facilitate compliance with the State and Local Government Conflict of Interests Act (§ 2.2-3100 et seq. of the Code of Virginia), the General Assembly Conflicts of Interests Act (§ 30-100 et seq. of the Code of Virginia), and the laws governing lobbyists and lobbying activities.

Among other duties, the Ethics Council is tasked with providing training and guidance, issuing formal advisory opinions to those required to comply with the above laws, and facilitating the timely and accurate electronic filing of disclosure reports. The Ethics Council also submits an annual report to the General Assembly and the Governor on its findings and makes recommendations for changes to the law.

4. Virginia Code Commission

The Commission on Code Recodification was created by Chapter 400 of the Acts of Assembly of 1946 as a permanent commission of the legislative branch. In 1948, the Commission on Code Recodification was renamed the Virginia Code Commission. The original purpose of the Virginia Code Commission was to create the 1950 Code of Virginia by codifying the Acts of Assembly of 1948 and all statutes enacted prior to and subsequent to 1948.

Today, the Virginia Code Commission's duties, as set out in Chapter 15 (§ 30-145 et seq.) of Title 30 of the Code of Virginia, include:

- Annually supervising the codification of the statutes after each session of the General Assembly.
- Revising and recodifying individual titles of the Code of Virginia.
- Reviewing the Code of Virginia and Acts of Assembly to identify obsolete provisions.
- Arranging for the codification and incorporation into the Code of Virginia of all general, special, and limited compacts to which the Commonwealth is a party.

- Compiling and codifying all of the administrative regulations of state agencies into the Virginia Administrative Code (VAC).
- Overseeing the biweekly publication of the Virginia Register of Regulations.
- Monitoring, with the assistance of the Administrative Law Advisory Committee, the operation of the Administrative Process Act (§ 2.2-4000 et seq.) and the Virginia Register Act (§ 2.2-4100 et seq.) to ensure that the laws provide the most practical means for administrative agencies of the Commonwealth to promulgate, amend, and repeal administrative law.

The Code Commission also serves as a resource for legislators with questions about the regulatory process and the Administrative Process Act.

