

VIRGINIA CODE COMMISSION

Tuesday, November 18, 2014 - 10 a.m.
General Assembly Building, 6th Floor
Speaker's Conference Room
Richmond, Virginia 23219

MEMBERS PRESENT: John S. Edwards; James M. LeMunyon; Ryan T. McDougle; Gregory D. Habeeb; Charles S. Sharp; Thomas M. Moncure, Jr.; Robert L. Calhoun; E.M. Miller, Jr.; Christopher R. Nolen; G. Timothy Oksman; Carlos L. Hopkins; and Robert L. Tavenner

MEMBERS ABSENT: Pamela S. Baskervill

OTHERS PRESENT: Eric Page, LeClair Ryan; Brian Kennedy, LexisNexis; Alex Medrano, West (Thomson Reuters); Jeff Palmore; Melanie West, Department of Planning and Budget; and NBC29

STAFF PRESENT: Jane Chaffin, Lilli Hausenfluck, Andrew Kubincanek, Karen Perrine, Nicole Brenner, Ryan Brimmer, Jescey French, Scott Meacham, Sarah Stanton, and Tom Stevens, Division of Legislative Services (DLS)

Call to order: Senator John Edwards called the meeting to order at 10:05 a.m.

Approval of minutes: Hearing no objection, Senator Edwards stated that the minutes of the October 21, 2014, meeting of the Code Commission stand approved as printed and distributed to the members of the Code Commission.

Administrative Law Advisory Committee (ALAC): Andrew Kubincanek, DLS, explained that he and Eric Page are presenting the ALAC report in the absence of ALAC Chair Tom Lisk, who was unable to attend the meeting due to illness. Mr. Kubincanek stated that ALAC had approved two draft bills to present to the Code Commission.

Mr. Kubincanek stated that ALAC reviewed provisions regarding delivery of notice in administrative matters in response to the Chair's request. ALAC drafted a bill to amend Titles 2.2 and 54.1 to allow delivery of certain notices required to be sent by U.S. mail to include delivery by a commercial service. The language is based on the bill approved by the Code Commission for Titles 16.1, 17.1, 18.2, and 19.2 at its meeting on July 21, 2014. However, this bill uses the term "third-party commercial carrier" instead of "commercial delivery service."

The Code Commission discussed the notice bill presented by Mr. Kubincanek and the use of the term "third-party commercial carrier." In response to a question raised by E.M. Miller, staff advised that the Rules of Supreme Court of Virginia use both "commercial carrier" and "third-party commercial carrier." Timothy Oksman moved to accept the ALAC proposal to use "third-party commercial carrier" and change the previous bill for Titles 16.1, 17.1, 18.2, and 19.2 to also use "third-party commercial carrier." The motion was seconded and approved.

Delegate James LeMunyon moved to approve ALAC's recommendation to allow state agencies under Titles 2.2 and 54.1 to use a third-party commercial carrier when service, delivery, or transmission of any notice or paper is authorized or required to be accomplished by mail, ordinary mail, registered mail, or certified mail. Upon second of Mr. Miller, the motion passed. Delegate Gregory Habeeb voted against the motion.

43 Mr. Page, chair of the ALAC Model State Administrative Procedures Act Judicial Work Group,
44 presented a revised draft bill pertaining to ex parte communications intended to resolve Code
45 Commission concerns that the ALAC proposal presented at the last meeting only allowed ex
46 parte communications from ministerial matters on the agency side. The proposal adds a new
47 § 2.2-4024.2 to the Administrative Process Act regarding ex parte communications that applies
48 to hearing officers in formal hearings, establishes the types of ex parte communications that are
49 permissible, and establishes a mechanism to handle inadvertent or nonmaterial discussion. The
50 revised draft permits a hearing officer to communicate with a private party on ministerial
51 matters.

52 Delegate Habeeb questioned whether the ex parte communication bill was within the authority of
53 the Code Commission and whether the issue would be more properly referred to the Boyd-
54 Graves Conference.

55 After discussion, the Code Commission determined that the proposed language, which was
56 intended to expand the use of ex parte contact, may actually constrict the use and sent the matter
57 back to ALAC for further review.

58 **Follow-up on cleanup bill changing "exemplary damages" to "punitive damages":** Delegate
59 Habeeb advised that in response to a request from the Code Commission at its meeting on
60 September 16, 2014, he circulated the bill draft proposing to change the term "exemplary
61 damages" to "punitive damages" to potential stakeholders. Delegate Habeeb reported that overall
62 the comments were benign or none; however, the Motor Vehicle Dealer Board expressed a
63 concern because the Board has used the term "exemplary damages" in some of its rulings. Upon
64 motion of Delegate Habeeb, seconded by Robert Calhoun, the bill was approved as presented.

65 **Follow-up on obsolete laws bills (Titles 44 and 51.5):** A staff recommendation to repeal
66 § 51.5-35.1 of the Code of Virginia was approved at the September 16, 2014, meeting, subject to
67 staff findings. Sarah Stanton, DLS attorney, advised that she had contacted the Board for People
68 with Disabilities and confirmed that there are no outstanding issues concerning the two obsolete
69 boards, Board for Rights of the Disabled or Board for the Rights of Virginians with Disabilities.
70 The Code Commission endorsed introducing legislation at the 2015 Session of the General
71 Assembly to repeal this section of the Code of Virginia.

72 Jeseey French, DLS attorney, presented a draft bill regarding removing obsolete provisions from
73 Title 44, which reflects the Code Commission's decisions at its meeting on September 16, 2014.
74 Ms. French reviewed the bill and the associated chart and information handed out at the meeting.
75 In response to a previous request by the Code Commission, Carlos Hopkins reported that he
76 reviewed several provisions pertaining to air raids. Section 44-207 was only applicable during
77 World War II and can be repealed. Sections 44-147 through 44-151 are unnecessary, as other
78 sections of the Code of Virginia address the Governor's authority during an emergency. Section
79 44-206 is also obsolete. Finally, § 44-18 has never been implemented; the Adjutant General uses
80 the seal of the Department of Defense and does not object to the repeal of this section.

81 On motion of Judge Charles Sharp and second by Delegate LeMunyon, the Code Commission
82 approved legislation repealing provisions of Title 44 as presented in the draft bill.

83 **Title 33.2 technical corrections bill:** Nicole Brenner, DLS attorney, presented a technical
84 corrections bill for the Title 33.2 recodification. The draft bill corrects typographical errors and
85 other mistakes; reinserts language that was omitted from Chapter 805 of the 2014 Acts of

86 Assembly and provides that the reinsertion is effective retroactively to October 1, 2014; and
87 implements clarifying changes. Ms. Brenner reviewed and explained the reason for each change .
88 Mr. Calhoun asked if the change to § 33.2-321 on lines 69-70 was a substantive change. Ms.
89 Brenner explained that the purpose of the amendment is to allow counties who have withdrawn
90 or elect to withdraw from the secondary state highway system to take advantage of this section;
91 current statutes about who can withdraw or how to withdraw are not affected.

92 Ms. Brenner stated that the Williamsburg Area Transit Authority, currently located in Title 15.2,
93 was inadvertently omitted from the Title 33.2 recodification legislation last year. Although this
94 change was not included in the bill presented to the Commission at this meeting, staff
95 recommends moving this authority from Title 15.2 to Title 33.2. The executive director and
96 attorney for the Authority have no objection to moving these provisions to Title 33.2.

97 On motion of Delegate LeMunyon and second by Robert Tavenner, the Code Commission
98 approved the presented bill with amendments moving the Williamsburg Area Transit Authority
99 from Title 15.2 to Title 33.2.

100 **Codification of compacts:** Ms. Brenner gave a brief history of the compilation of compacts,
101 advising that prior to 2001, the Secretary of the Commonwealth compiled a compacts volume on
102 a periodic basis. The Secretary of the Commonwealth's compacts volume included both
103 historical compacts and active compacts. This function was transferred to the Code Commission
104 in 2001, and a separate compacts volume has been in place as part of the Code of Virginia since
105 that time.

106 Ms. Brenner described existing Code Commission policy concerning the codification of
107 compacts and explained that each compact is assigned a Code section number in accordance with
108 its proper title location. If a compact is general and permanent in nature, the compact is set out in
109 full in both the Code and in the compacts volume. Otherwise, compacts are set out in full only in
110 the compacts volume, and the section number in the Code contains only a reference directing the
111 reader to the compacts volume. A review of the Code and the compacts volume reveals that most
112 compacts are set out in both. Ms. Brenner added that, as of July 1, 2014, all compacts reside
113 online as part of the Virginia Law Portal.

114 Ms. Brenner asked the Commission to consider assigning Code sections to the few compacts that
115 are not codified. In doing so, the Commission could eliminate the compacts volume as
116 duplicative and unnecessary since all compacts would appear in the Code and be available
117 online.

118 The Code Commission agreed with the staff recommendation to set out all compacts in the Code
119 of Virginia and approved the following motions:

- 120 • §§ 10.1-1149 and 10.1-1150 (forest fire compacts) - Judge Sharp moved, seconded by
121 Christopher Nolen, to set out these compacts, which are currently incorporated by reference
122 in the Code.
- 123 • Interstate Civil Defense Compact of 1952 - Ms. Brenner indicated that this compact is no
124 longer in effect, but was not enacted by the General Assembly, so it cannot be repealed. Mr.
125 Calhoun moved, seconded by Judge Sharp, that this compact be removed from the the
126 compacts volume. Staff suggested retaining the compact online for historical purposes, but
127 labeling it as "not in effect."

- 128 • Nonresident Violator Compact of 1977 - Ms. Brenner advised that this compact is in effect
129 and used and should be assigned a Code section number in Title 46.2. Delegate LeMunyon
130 moved, seconded by Mr. Calhoun, that the compact be assigned a Code section number in
131 Title 46.2.
- 132 • Breaks Interstate Park Compact of 1954 - Ms. Brenner advised that this compact needs a
133 Code section number assigned in Title 10.1. Delegate LeMunyon moved, seconded by Mr.
134 Calhoun, that the compact be assigned a Code section number in Title 10.1.
- 135 • Potomac River Bridge Towing Compact of 1991 - Ms. Brenner advised that this compact
136 needs a Code section number assigned. Judge Sharp moved, seconded by Delegate
137 LeMunyon, that the compact be assigned a Code section number in Title 46.2.
- 138 • Woodrow Wilson Bridge and Tunnel Compact - Ms. Brenner suggested repealing this
139 compact, which is codified as § 33.2-1300, because it is no longer in effect. The Department
140 of Transportation (VDOT) requested an opportunity to review the compact. Mr. Calhoun
141 moved, seconded by Mr. Miller, that, barring opposition from VDOT, the compact be
142 repealed.
- 143 • Virginia-North Carolina Interstate High-Speed Rail Compact, Washington Metropolitan Area
144 Transit Regulation Compact of 1958, and Washington Metropolitan Area Transit Authority
145 Compact of 1966 (Title 33.2) - Ms. Brenner advised that these compacts have been assigned
146 Code section numbers, but are not set out in the Code. After discussion, Mr. Miller moved,
147 seconded by Mr. Calhoun, to set out these three compacts in the Code.

148 Mr. Miller commented that he has observed that certain uniform laws and random statutes that
149 are not compacts are included in the compacts volume. Staff advised that this had been noted and
150 that if the Commission decides to retain the volume, the matter must be addressed. Senator
151 Edwards deferred the item on whether to retain or eliminate the compacts volume. Mr. Miller
152 suggested that staff add this item to the work plan for 2015.

153 **Review of 2015 Code Commission legislation:** Jane Chaffin presented a chart summarizing the
154 Code Commission legislation for the 2015 Session of the General Assembly. Staff stated that
155 patrons are needed for several of the bills. Senator Edwards agreed to carry the ALAC study bills
156 and bills regarding delivery of certain notices by third-party commercial carrier. The obsolete
157 laws bills (Titles 10.1, 51.5, and 44) do not have a patron, and it was suggested to ask Senator
158 Ryan McDougle.

159 **Review of sections not set out in Code pertaining to legislative intent, findings, purpose,**
160 **and policy statements:** Ms. Chaffin reviewed the Code Commission policy on "not set out" and
161 its recent request to see the actual text before deciding to remove any "not set out" section that
162 contained legislative findings, policy, or purpose. The meeting materials included a list of the
163 sections and the Act of Assembly containing the actual text. The Commission discussed the
164 matter briefly but did not take any action.

165 **Recodification of Title 23, Educational Institutions:** Ryan Brimmer, DLS attorney, presented
166 the recodification report regarding the following chapters of Subtitle V - Other Educational
167 Institutions: Commonwealth Health Research Board and Fund, Other Educational Entities, and
168 Museums and Other Cultural Entities. Mr. Brimmer indicated that the report has been revised in
169 accordance with the determinations made at the October 21, 2014, meeting of the Code

Tuesday, November 18, 2014

170 Commission, including a request for more descriptive drafting notes. In addition, the provisions
171 regarding the Commonwealth Health Research Board and Fund are ready for review, as staff
172 received a response from the Board.

173 Existing Chapter 22 (§ 23-277 et seq.) - Commonwealth Health Research Board and Fund (lines
174 1-187). Mr. Brimmer recommended moving this chapter into Title 32.1 as Chapter 5.3 instead of
175 placing it in proposed Title 23.1. He pointed out that the Board is established as an independent
176 body and there is no place in the title where it is declared an educational institution. The
177 placement in Title 32.1 was proposed by the Office of the Attorney General and the Board
178 agrees. The Code Commission concurred and accepted the report with the following changes to
179 proposed § 32.1-162.23:

- 180 • In subsection B, first paragraph, last sentence pertaining to filling vacancies, change
181 "original appointments" to "initial appointments" (line 41).
- 182 • Proposed subsection G provides that Board members will not receive compensation;
183 however, the last sentence says that "Such compensation and expenses shall be paid from
184 the Fund." Staff was directed to make the language consistent by striking "compensation
185 and" on line 66.

186 Proposed Chapter 31 - Other Educational Entities (lines 188-933). Staff explained that the
187 proposed name change of the A.L. Philpott Manufacturing Extension Partnership to Genedge
188 Alliance stems from approval of the new trade name in 2010 by the entity's board. It was noted,
189 however, that appropriations are directed toward the original name. The Code Commission
190 agreed that the name change should not be part of the recodification, nor should the proposal in
191 § 23-231.9 to change the quorum be part of the recodification. The Code Commission agreed
192 that amendments of this nature should be in separate legislation initiated by the entity. Mr.
193 Calhoun moved, seconded by Judge Sharp, to return the entity name and quorum language to
194 original form, with the exception of nonsubstantive technical changes.

195 Proposed Chapter 32 - Museums and Other Cultural Entities (lines 934-1692). The Code
196 Commission discussed amendments to the Frontier Culture Museum of Virginia (proposed
197 Article 1). In the last paragraph of § 23-297 the amendments remove the per diem for board
198 members. Staff stated that the Attorney General's office had advised that language in the
199 appropriation act supersedes the per diem payment. The Code Commission is not in favor of
200 conforming the statutes to the appropriation act when the appropriation act is effective for a
201 limited amount of time. Senator Edwards moved, seconded by Mr. Nolen, to leave the per diem
202 language in the code. The motion was approved.

203 In proposed Article 4, Jamestown-Yorktown Foundation, staff will return the language in § 23-
204 287 pertaining to who appoints the executive committee so that the chairman makes the
205 appointments.

206 **Other business:** Mr. Tavenner advised that the contract for publication of the Code of Virginia,
207 currently held by LexisNexis, was coming up for renewal in 2016.

208 **Public comment; adjournment:** The Chair opened the floor for public comment. As there was
209 no public comment and no further business to discuss, the Chair adjourned the meeting at
210 12:15 p.m.

THIS AGREEMENT is made between the **VIRGINIA CODE COMMISSION**, hereafter "the Commission," and Matthew Bender & Company, Inc., a member of the LEXISNexis Group, a corporation organized under the laws of the State of New York, hereinafter "LEXIS".

WITNESSETH

WHEREAS, By Sections 30-146 and 30-147 of the Code of Virginia of 1950, the General Assembly of Virginia authorizes the Commission to codify into the Code of Virginia the acts of each session of the General Assembly, and to enter into such contract or contracts for such editorial work, printing, indexing and other work as may be necessary to maintain the Code;

NOW, THEREFORE, in consideration of the following premises and mutual promises, the Commission and LEXIS agree as follows:

FIRST: The term of this Agreement shall commence on September 1, 2009, and shall expire on August 31, 2016.

The Commission may terminate this Agreement for cause whenever the Commission determines that LEXIS has failed to perform one or more of its contracted duties and responsibilities in a timely and proper manner or in a manner satisfactory to the Commission, or if LEXIS fails to adhere to any of the terms of this Agreement, and LEXIS is unable to cure the failure within a reasonable period of time as may be specifically determined by the Commission. In the event of termination, LEXIS agrees to apply its best efforts to bring work in progress to an orderly conclusion in a manner and form consistent with this agreement, and satisfactorily to the Commission.

The provisions of this Agreement may be renewed for subsequent two (2) year terms not to exceed a total of two (2) additional terms by the agreement of the parties.

SECOND: (a) The preparation and publication of the Code of Virginia by LEXIS shall be under the supervision and direction of the Commission.

(b) Each year during the term of this Agreement, LEXIS shall prepare (i) an annotated supplement ("Supplement") to the Code of Virginia of 1950, consisting of pocket part or paperbound cumulative pamphlets for all current volumes except for the volumes to be replaced during the year, as shall be determined by the Commission, and (ii) updated index volumes ("Index Volumes") for the Code of Virginia of 1950.

(c) Each Supplement shall include all acts of a general and permanent nature passed by the General Assembly of Virginia subsequent to the publication of the current volumes of the Code of Virginia up through and including the then/current Regular Session. The same procedure and general format relative to catchlines, historical references, frontal analyses and annotations will be followed in the preparation of each Supplement as was followed in the preparation of the 2008 Cumulative Supplement. The codification, arrangement and numbering of such acts will

follow and conform to the codification, arrangement and numbering of the Code of Virginia of 1950.

(d) For each Supplement, the annotations found in the 1950 Code and supplements thereto will be supplemented so as to include all cases published prior to April 1 of each respective year of the contract period. This provision is also applicable to replacement volumes.

(e) A thorough, effective and logically organized general index will be prepared and published with each Supplement following the same plan, procedure, general makeup and appearance used in preparing the 2008 index replacements, Replacement Volumes 12 and 13, or such additional volumes as necessary to properly and appropriately index the Code of Virginia. The paper to be used in the Index, Supplement and all replacement volumes shall be as directed by the Commission and recommended by Lexis. The index will be revised to reflect all changes made through each Session of the General Assembly and any Reconvened Session of the General Assembly (if such session shall occur).

(f) In each Supplement, Sections of the 1950 Code in which minor errors or omissions have appeared will be republished at length, together with appropriate notes explaining the editorial changes made in such sections.

(g) The Commission and LEXIS will meet after September 1 annually and after recommendation by LEXIS, the Commission shall determine the Code volumes to be replaced during each particular year ("Replacement Volumes"). This process will follow the process that has been conducted in previous years. This meeting will be documented by official minutes of the Commission. The Commission and LEXIS will also meet annually to establish pricing for the printed copies of the Code of Virginia for residents of the Commonwealth and for purchase by other Commonwealth of Virginia agencies and personnel.

THIRD: (a) LEXIS agrees to furnish approximately 685 sets of each Supplement and the Index Volumes without cost to the Commission as soon as possible after the final adjournment of each Reconvened Session of the General Assembly during the contract period. It is contemplated that shipment of the Supplements and Index Volumes will be made on or before July 1 of each and every year, if all material under Section FIFTH is received on or before May 1, unless otherwise agreed upon by the parties.

(b) LEXIS agrees to distribute the estimated 685 sets of each Supplement and the Index Volumes pursuant to a list to be furnished by the Commission and to bear all costs associated with publishing and printing these sets and all postage and shipping charges therefore.

(c) LEXIS additionally agrees to furnish approximately 685 copies of each of the Replacement Volumes to the Commission without cost to the Commission.

It is contemplated that delivery of the Replacement Volumes will be made on or before July 31 each year, unless otherwise agreed upon by the parties. In the event such Replacement Volumes are not shipped with the annual Supplement to the Code of Virginia then a pocket part or paperbound interim supplement for the Replacement Volumes shall be delivered with the Supplements. LEXIS agrees to bear all publishing, printing, postage and shipping charges associated with the estimated 685 copies of the Replacement Volumes.

(d) If, for any reason, publication of any Replacement Volume is delayed beyond the preparation date of annual electronic database update of the Code of Virginia, LEXIS agrees to provide the Commission with a magnetic tape and CD containing the delayed material within one month of the publication date.

(e) LEXIS agrees to sell an "Advance Code Service" (ACS) to the Commission or residents of the Commonwealth for such sums as shall be set annually by the Commission. LEXIS will produce the "Advanced Code Service" in a manner similar to that used prior to the execution of this Agreement.

(f) The Commission may increase or decrease the number of copies of the Supplement and Replacement Volumes as provided in paragraphs (b) and (c) upon written notice to LEXIS by an amount not exceeding 4% in any one year.

FOURTH: In that the Commission has determined that Volume 11 of the Code of Virginia will be replaced annually, LEXIS agrees to:

(a) Prepare and publish Volume 11 of the Code of Virginia and the November Supplement to Volume 11 with the update materials relating thereto, using the same page format used in the 2008 Edition and November 2008 Supplement.

(b) Pursuant to a list to be furnished by the Commission provide approximately 685 copies of Volume 11 and Supplement thereto to the Commission, without cost, and distribute according to the list.

(c) Bear all publishing, printing, postage, shipping and handling charges therefore.

(d) For residents of the Commonwealth charge such amount as shall be established by the Commission annually.

FIFTH: (a) As used in this sixth paragraph, the following terms shall have the following meanings: (1) "Copyrightable materials" shall have the same meaning as defined in an agreement between the Commission and LEXIS (then the Michie Company) dated March 31, 1981; and (2) "Political Subdivisions" means all counties, cities, towns, regional governments and other political subdivisions of the Commonwealth of Virginia created by general or special laws, and all agencies of the state government.

(b) LEXIS agrees to: (1) provide the Commission on, or before July 15 of each year, with an electronic database, containing proprietary information of LEXIS, of the Code of Virginia with annotations for the exclusive use of officers and employees of the Commonwealth and its political subdivisions only in performing research within the scope of the governmental duties; and (2) provide the Commission, for use exclusively by Legislative Branch Agencies, a reasonable number of copies of *LexisNexis CD - Virginia Primary Law (CD - ROM)* or its successor for use in bill preparation and research related to proposed legislation.

Use of the electronic database and the LexisNexis CD -Virginia Primary Law (CD-ROM), as regards copyrightable materials, shall be subject to the following limitations: (a) producing hard copies in excess of 10 copies of all or any part thereof is expressly prohibited unless prior written approval has been received from LEXIS; (b) the notice "©Copyright (date) by LEXIS - All rights reserved" should be displayed, where practicable, on computer terminal screens whenever an authorized user initially accesses the database again when the user leaves the database and it shall so appear near or with the title (Code of Virginia) and each major heading (titles) on visually perceptible printouts.

(c) LEXIS agrees to provide the Commission, on or before July 15 of each year, with an electronic database of the Code of Virginia, exclusive of any copyrightable information for the purpose of facilitating public inspection under the Freedom of Information Act and through information systems.

(d) The Commission agrees to deliver to LEXIS eight (8) printed copies of all acts passed at each annual Session, as the acts are passed and as soon after such passage as possible. The Commission also agrees to deliver to LEXIS electronic files, in a format to be mutually determined by both parties, of the Acts of Assembly as they are passed without insertion of stricken language, on or before May 1.

SIXTH: LEXIS agrees to cooperate with other Commission approved publishers for the sharing of information in a similar manner to the commonly referred "Code Commission Pilot Program of 2002" pursuant to certain agreement(s) to be executed by all such publishers, and the Commission agrees to waive any and all participation fees, if any, to the Program to LEXIS during the term of this Agreement.

SEVENTH: LEXIS agrees to furnish 200 sets of the *Revised Code of 1819* to be delivered to the Commission, and to bear all costs associated with publishing and printing these sets and all postage and shipping charges therefore. The Commission agrees to provide one set of the *Revised Code of 1819*, to be shipped upon the signing of this agreement, which shall be returned to the Commission. The parties recognize that these documents will be disassembled and will be returned unbound but using all reasonable care to protect the documents as possible. LEXIS retains the right to publish and sell the *Revised Code of 1819* to the public at a price to be determined solely by LEXIS. Such sets shall be distributed by LEXIS pursuant to a list to be furnished by the Commission and

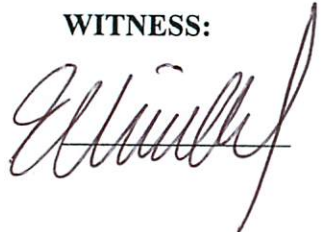
LEXIS shall bear all costs associated with postage and shipping charges to such listed persons. Shipping of the *Revised Code of 1819* will be completed no later than thirty days (30) from April 1, 2009 by LEXIS.

EIGHTH: LEXIS agrees to furnish (upon request) one copy each of any Virginia specific legal publications or CDs published by LEXIS to the DLS Reference Library free of charge including shipping charges and postage.

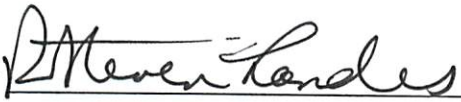
NINTH: Assignment. Neither party may assign or transfer this Agreement nor any interest in this Agreement without the written consent of the other party, which consent will not be unreasonably withheld. Notwithstanding the foregoing, a party may freely transfer or assign this Agreement to (i) any affiliated company or entity of that party, including without limitation, its parent company or any subsidiaries of its parent company, or (ii) any person or entity who acquires the entire business or a party or acquires a portion of the assets of a party that relate to this Agreement.

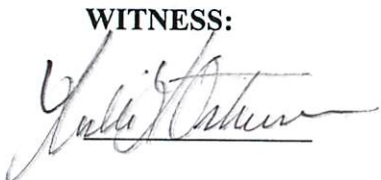
TENTH: Governing laws. This Agreement shall be construed in accordance with and governed by laws of the Commonwealth of Virginia. Suit, if any, must be brought in the City of Richmond, Commonwealth of Virginia.

IN WITNESS WHEREOF, The parties have executed this Agreement on the 11 and 11 days of ~~November~~ ^{January}, respectively, ~~2008~~ ²⁰⁰⁹.

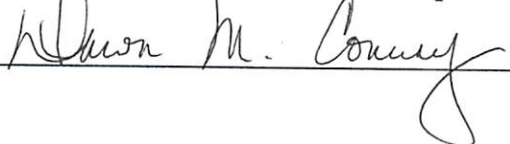
WITNESS:


COMMONWEALTH OF VIRGINIA

By 
Chairman, Virginia Code Commission

WITNESS:


MATTHEW BENDER & COMPANY, INC.,
a member of the LEXISNexis Group



MATTHEW BENDER LEGAL DEPT.
REVIEWED BY: RAF
DATE: 12/02

Organizational Outline for Proposed Title 23.1

SUBTITLE I.

GENERAL PROVISIONS

| | | |
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| Chapter 1 | | Definitions and general provisions. |
| | Article 1 | Definitions |
| | Article 2 | General Provisions |
| Chapter 2 | | State Council for Higher Education for Virginia. |
| | Article 1 | Membership and organization. |
| | Article 2 | Powers and duties. |
| | Article 3 | Regulation of certain private and out-of-state institutions. |
| Chapter 3 | | The Virginia Higher Education Opportunity Act of 2011. |

SUBTITLE II.

STUDENTS AND CAMPUS

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|----------------------|--------------|---|
| Chapter 4 | | General provisions |
| | Article 1 | Students generally. |
| | Article 2 | Student records. |
| Chapter 5 | | Tuition eligibility. |
| Chapter 6 | | Financial Assistance. |
| | Article 1 | General provisions. |
| | Article 2 | Institution, agency, and program-specific scholarships. |
| | Article 3 | Unfunded scholarships. |
| | Article 4 | Nursing scholarships. |
| | Article 5 | Dental hygienist scholarships. |
| | Article 6 | Community College Incentive Scholarship Program and Fund. |
| | Article 7 | Two-year College Transfer Grant Program. |

Organizational Outline for Proposed Title 23.1

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| | Article 8 | Tuition Assistance Grant Act. |
| | Article 9 | Virginia Guaranteed Assistance Program and Fund. |
| | Article 10 | Institutional loans. |
| | Article 11 | Senior citizens. |
| Chapter 7 | | Virginia College Savings Plan |
| Chapter 8 | | Health and Campus Safety. |
| | Article 1 | Student health. |
| | Article 2 | Emergency management. |
| | Article 3 | Campus police departments. |
| Chapter 9 | | Academic Policies. |
| | Article 1 | Programs of instruction. |
| | Article 2 | Course credit. |
| | Article 3 | Articulation, transfer, and dual enrollment. |

SUBTITLE III.

MANAGEMENT AND FINANCING.

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|-------------------|-----------|--|
| Chapter 10 | | Restructured Higher Edu. Financial & Administrative Operations Act. |
| Chapter 11 | | Institutions; bonds. |
| Chapter 12 | | Virginia College Building Authority. |
| | Article 1 | General Provisions; membership; organization. |
| | Article 2 | Powers and duties; bonds; equipment. |
| | Article 3 | Educational facilities. |

SUBTITLE IV.

Organizational Outline for Proposed Title 23.1

PUBLIC INSTITUTIONS OF HIGHER EDUCATION

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|-------------------|-----------|--|
| Chapter 13 | | Governing Boards |
| Chapter 14 | | Christopher Newport University. |
| Chapter 15 | | College of William and Mary. |
| | Article 1 | General provisions. |
| | Article 2 | Richard Bland College. |
| | Article 3 | Virginia Institute for Marine Science. |
| Chapter 16 | | George Mason University. |
| Chapter 17 | | James Madison University. |
| Chapter 18 | | Longwood University. |
| Chapter 19 | | University of Mary Washington. |
| Chapter 20 | | Norfolk State University. |
| Chapter 21 | | Old Dominion University. |
| | Article 1 | General provisions. |
| | Article 2 | Center for Graduate and Undergraduate Studies. |
| Chapter 22 | | Radford University. |
| Chapter 23 | | University of Virginia. |
| | Article 1 | General provisions. |
| | Article 2 | Medical Center. |
| | Article 3 | University of Virginia's College at Wise. |
| Chapter 24 | | Virginia Commonwealth University. |
| | Article 1 | General provisions. |
| | Article 2 | Medical Center. |
| | Article | Virginia Center on Aging. |

Organizational Outline for Proposed Title 23.1

| | | |
|-------------------|-----------|---|
| | 3 | |
| Chapter 25 | | Virginia Commonwealth University Health System Authority. |
| Chapter 26 | | Virginia Military Institute. |
| | Article 1 | General provisions. |
| | Article 2 | Cadets. |
| Chapter 27 | | Virginia Polytechnic and State University. |
| | Article 1 | General Provisions. |
| | Article 2 | Governmental Aid and Individual Donations. |
| | Article 3 | Virginia Center for Coal and Energy Research. |
| | Article 4 | Virginia Water Resources Research Center. |
| | Article 5 | Virginia Center for Housing Research. |
| | Article 6 | Virginia Cooperative Extension, Agricultural Experiment Station, and Virginia Truck and Ornamentals Research Station. |
| Chapter 28 | | Virginia State University |
| Chapter 29 | | State Board for Community Colleges, Community College System. |
| | Article 1 | Definitions. |
| | Article 2 | Membership and management. |
| | Article 3 | Powers and duties. |

SUBTITLE V.

OTHER EDUCATIONAL INSTITUTIONS

| | | |
|-------------------|-----------|---|
| Chapter 30 | | Eastern Virginia Medical School. |
| Chapter 31 | | Educational authorities, boards, centers, consortia, institutes. |
| | Article 1 | A.L. Philpott Manufacturing Extension Partnership. |
| | Article 2 | Institute for Advanced Learning and Research |
| | Article 3 | New College Institute. |

Organizational Outline for Proposed Title 23.1

| | | |
|-----------------------|--------------|---|
| | Article 4 | Roanoke Higher Education Authority. |
| | Article 5 | Southern Higher Virginia Education Center. |
| | Article 6 | Southwest Virginia Higher Education Center. |
| | Article 7 | Christopher Reeve Stem Cell Research Fund. |
| Chapter 32 | | Museums and Other Cultural Entities. |
| | Article 1 | Frontier Culture Museum. |
| | Article 2 | Gunston Hall. |
| | Article 3 | Jamestown-Yorktown Foundation. |
| | Article 4 | Science Museum of Virginia. |
| | Article 5 | Virginia Museum of Fine Arts. |
| | Article 6 | Virginia Commission for the Arts, Virginia Arts Foundation. |

Title 23 Recodification proposed summer 2015 schedule:

(1): New: Chapters 1-3. Review: Chapters 26-29.

Friday April 24: Work group meeting.

Monday May 4: Present Documents to Code Commission.

(2): New: Chapters 10-12. Review: Chapters 22-25.

Wednesday May 20: Work group meeting.

Monday June 1: Present documents to Code Commission.

(3): New: Chapters 4 and 5. Review: Chapters 18-21.

Wednesday July 8: Work group meeting.

Monday July 20: Present documents to Code Commission.

(4): New: Chapters 6 and 7. Review: Chapters 14-17.

Wednesday August 26: Work group meeting.

Tuesday September 8: Present documents to Code Commission.

(5): New: Chapters 8 and 9. Review: Chapters 13, 31, and 32.

Thursday September 24: Work group meeting.

Monday October 5: Present documents to Code Commission.

(6): New: Chapter 30. Review: tbd.

Thursday October 29: Work group meeting.

Monday November 16: Present documents to Code Commission.

Code of Virginia Titles with Recodification Dates

(shown with repealed titles in italics and currently effective titles in bold)

Updated 3-31-2015

| Recodification Dates¹ | Code of Virginia Titles |
|---|--|
| 1966 2005² | 1 General Provisions |
| <i>1966</i> 2001 | <i>2 Administration of the Government Generally</i> <i>2.1 Administration of the Government Generally</i> 2.2 Administration of Government |
| <i>1966</i> 2008 | <i>3 Agriculture, Horticulture and Food</i> <i>3.1 Agriculture, Horticulture and Food</i> 3.2 Agriculture, Animal Care, and Food |
| 1993 | <i>4 Alcoholic Beverages and Industrial Alcohol</i> 4.1 Alcoholic Beverage Control Act |
| 1966 | <i>5 Aviation</i> 5.1 Aviation |
| <i>1966</i> 2010 | <i>6 Banking and Finance</i> <i>6.1 Banking and Finance</i> 6.2 Financial Institutions and Services |
| <i>1966</i> | <i>7 Boundaries, Jurisdiction and Emblems of the Commonwealth</i> <i>7.1 Boundaries, Jurisdiction and Emblems of the Commonwealth³</i> |
| 1977 | <i>8 Civil Remedies and Procedure; Evidence Generally</i> 8.01 Civil Remedies and Procedure - Code Commission tentatively approved for 2015 work plan on 6/19/2013 |
| <i>1964</i> 2003 | <i>8.1 Commercial Code - General Provisions</i> 8.1A Uniform Commercial Code - General Provisions |
| 1964 | 8.2 Commercial Code - Sales |
| 1991 | 8.2A Commercial Code - Leases |
| <i>1964</i> 1992 | <i>8.3 Commercial Code - Commercial Paper</i> 8.3A Commercial Code - Negotiable Instruments |
| 1964 | 8.4 Commercial Code - Bank Deposits and Collections |
| 1990 | 8.4A Commercial Code - Funds Transfers |
| <i>1964</i> 1997 | <i>8.5 Commercial Code - Letters of Credit</i> 8.5A Commercial Code - Letters of Credit |
| <i>1964</i> <i>1997</i> | <i>8.6 Commercial Code - Bulk Transfers</i> <i>8.6A Commercial Code - Bulk Sales⁴</i> |
| 1964 | 8.7 Commercial Code - Warehouse Receipts, Bills of Lading and Other Documents of Title |

¹ Titles were codified in 1950 unless a different date is indicated. The dates listed represent the General Assembly session in which the recodification was enacted.

² Title 1 was not recodified but substantially reorganized in 1966 and 2005.

³ Title 7.1 was repealed and its contents incorporated into Title 1 in 2005.

⁴ Title 8.6A was repealed as obsolete in 2011.

Code of Virginia Titles with Recodification Dates

(shown with repealed titles in italics and currently effective titles in bold)

Updated 3-31-2015

| | |
|---------------------|---|
| 1964 1996 | 8.8 <i>Commercial Code - Investment Securities</i> 8.8A Commercial Code - Investment Securities |
| 1964 2000 | 8.9 <i>Commercial Code - Secured Transactions; Sales of Accounts, Contract Rights and Chattel Paper</i> 8.9A Commercial Code - Secured Transactions |
| 1964 | 8.10 Commercial Code - Effective Date - Transitional Provisions |
| 1973 | 8.11 1973 Amendatory Act - Effective Date and Transition Provisions |
| 2001 | 9 <i>Commissions, Boards and Institutions Generally</i> ⁵ 9.1 Commonwealth Public Safety |
| 1988 | 10 <i>Conservation Generally</i> 10.1 Conservation |
| | 11 Contracts |
| 1971 | 12 <i>Corporation Commission</i> 12.1 State Corporation Commission |
| 1956 | 13 <i>Corporations Generally</i> 13.1 Corporations |
| 1964 | 14 <i>Costs, Fees, Salaries and Allowances</i> 14.1 <i>Costs, Fees, Salaries and Allowances</i> ⁶ |
| 1962 1997 | 15 <i>Counties, Cities and Towns</i> 15.1 <i>Counties, Cities and Towns</i> 15.2 Counties, Cities and Towns |
| 1956 | 16 <i>Courts Not of Record</i> 16.1 Courts Not of Record |
| 1998 | 17 <i>Courts of Record</i> 17.1 Courts of Record |
| 1960 1975 | 18 <i>Crimes and Offenses Generally</i> 18.1 <i>Crimes and Offenses Generally</i> 18.2 Crimes and Offenses Generally |
| 1960 1975 | 19 <i>Criminal Procedure</i> 19.1 <i>Criminal Procedure</i> 19.2 Criminal Procedure |
| | 20 Domestic Relations |
| | 21 Drainage, Soil Conservation, Sanitation and Public Facilities Districts |
| 1980 | 22 <i>Education</i> 22.1 Education |
| | 23 Educational Institutions - On current work plan scheduled for completion in 2015 |

⁵ Title 9 was repealed in 2001; certain material was incorporated into Titles 2.2, 3.1, and 30.

⁶ Title 14.1 was repealed in 1998; provisions relating to costs, fees, salaries, and allowances are now located throughout the Code of Virginia.

Code of Virginia Titles with Recodification Dates

(shown with repealed titles in italics and currently effective titles in bold)

Updated 3-31-2015

| | |
|--------------|--|
| 1970 1993 | 24 <i>Elections</i> 24.1 <i>Elections</i> 24.2 Elections |
| 2003 | 25 <i>Eminent Domain</i> 25.1 Eminent Domain |
| | 26 <i>Fiduciaries Generally</i> ⁷ |
| | 27 Fire Protection |
| 1962 1992 | 28 <i>Fish, Oysters and Shellfish</i> 28.1 <i>Fish, Oysters, Shellfish and Other Marine Life</i> 28.2 Fisheries and Habitat of the Tidal Waters |
| 1987 | 29 <i>Game, Inland Fisheries and Dogs</i> 29.1 Game, Inland Fisheries and Boating |
| | 30 General Assembly |
| | 31 <i>Guardian and Ward</i> ⁷ |
| 1979 | 32 <i>Health</i> 32.1 Health |
| | 33 <i>Highways, Bridges and Ferries</i> |
| 1970 2014 | 33.1 <i>Highways, Bridges and Ferries</i> 33.2 Highways and Other Surface Transportation Systems |
| | 34 Homestead and Other Exemptions |
| 1981 | 35 <i>Hotels, Restaurants and Camps</i> 35.1 Hotels, Restaurants, Summer Camps, and Campgrounds |
| | 36 Housing |
| 1968 2005 | 37 <i>Insane, Epileptic, Feeble-Minded and Inebriate Persons</i> 37.1 <i>Institutions for the Mentally Ill; Mental Health Generally</i> 37.2 Behavioral Health and Developmental Services |
| 1952 1986 | 38 <i>Insurance</i> 38.1 <i>Insurance</i> 38.2 Insurance |
| 1968 | 39 <i>Justices of the Peace</i> 39.1 <i>Justices of the Peace</i> ⁸ |
| 1970 | 40 <i>Labor and Employment</i> 40.1 Labor and Employment |
| 1970 | 41 <i>Land Office</i> 41.1 Land Office |
| 1970 | 42 <i>Libraries</i> 42.1 Libraries |
| | 43 Mechanics' and Certain Other Liens |

⁷ Titles 26 and 31 were repealed in 2012 and their provisions incorporated into Title 64.2.

⁸ Title 39.1 was repealed in 1973 and its provisions incorporated into Title 19.2.

Code of Virginia Titles with Recodification Dates
(shown with repealed titles in italics and currently effective titles in bold)
Updated 3-31-2015

| | |
|----------------------------|--|
| | 44 Military and Emergency Laws |
| 1966 | <i>45 Mines and Mining</i> 45.1 Mines and Mining |
| <i>1958</i> 1989 | <i>46 Motor Vehicles</i> <i>46.1 Motor Vehicles</i> 46.2 Motor Vehicles |
| 1980 | <i>47 Notaries and Out-of-State Commissioners</i> 47.1 Notaries and Out-of-State Commissioners |
| | 48 Nuisances |
| | 49 Oaths, Affirmations and Bonds |
| | 50 Partnerships |
| 1990 | <i>51 Pensions and Retirement</i> 51.1 Pensions, Benefits, and Retirement |
| <i>1985</i> 1985 | <i>51.01 Persons with Disabilities⁹</i> 51.5 Persons with Disabilities |
| | 52 Police (State) |
| 1982 | <i>53 Prisons and Other Methods of Correction</i> 53.1 Prisons and Other Methods of Correction |
| 1988 | <i>54 Professions and Occupations</i> 54.1 Professions and Occupations |
| | 55 Property and Conveyances |
| | 56 Public Service Companies |
| | 57 Religious and Charitable Matters; Cemeteries |
| 1984 | <i>58 Taxation</i> 58.1 Taxation |
| 1968 | <i>59 Trade and Commerce</i> 59.1 Trade and Commerce |
| <i>1968</i> 1986 | <i>60 Unemployment Compensation</i> <i>60.1 Unemployment Compensation</i> 60.2 Unemployment Compensation |
| 1968 | <i>61 Warehouses, Cold Storage and Refrigerated Locker Plants</i> 61.1 Warehouses, Cold Storage and Refrigerated Locker Plants |
| 1968 | <i>62 Waters of the State, Ports and Harbors</i> 62.1 Waters of the State, Ports and Harbors |
| <i>1968</i> 2002 | <i>63 Welfare</i> <i>63.1 Welfare (Social Services)</i> 63.2 Welfare (Social Services) |

⁹ Title 51.01 was recodified as Title 51.5 for better arrangement in the Code.
Virginia Code Commission

Code of Virginia Titles with Recodification Dates

(shown with repealed titles in italics and currently effective titles in bold)

Updated 3-31-2015

| | |
|---------------------|--|
| 1968 2012 | 64 <i>Wills and Decedents' Estates</i> 64.1 <i>Wills and Decedents' Estates</i> 64.2 Wills, Trusts, and Fiduciaries |
| 1968 1991 | 65 <i>Workmen's Compensation</i> 65.1 <i>Workers' Compensation</i> 65.2 Workers' Compensation |
| 1989 | 66 Juvenile Justice¹⁰ |
| 2006 | 67 Virginia Energy Plan |

¹⁰ Title 66 was originally titled "Youth and Family Services"; the name was changed in 1996.
Virginia Code Commission

Code of Virginia Titles with Recodification Dates

(shown with repealed titles in italics and currently effective titles in bold)

Updated 3-31-2015

| | |
|-----------------------------|---|
| <p>1968 2012</p> | <p>64 <i>Wills and Decedents' Estates</i> 64.1 <i>Wills and Decedents' Estates</i> 64.2 Wills, Trusts, and Fiduciaries</p> |
| <p>1968 1991</p> | <p>65 <i>Workmen's Compensation</i> 65.1 <i>Workers' Compensation</i> 65.2 Workers' Compensation</p> |
| <p>1989</p> | <p>66 Juvenile Justice¹⁰</p> |
| <p>2006</p> | <p>67 Virginia Energy Plan</p> |

¹⁰ Title 66 was originally titled "Youth and Family Services"; the name was changed in 1996.
Virginia Code Commission



COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES
RICHMOND

THOMAS DAVIS RUST
HERNDON TOWN HALL
730 ELDEN STREET
HERNDON, VIRGINIA 20170

EIGHTY-SIXTH DISTRICT

COMMITTEE ASSIGNMENTS:
TRANSPORTATION (CHAIRMAN)
EDUCATION
COMMERCE AND LABOR
SCIENCE AND TECHNOLOGY

December 22, 2014

The Honorable John S. Edwards
Chair, Virginia Code Commission
P. O. Box 1179
Roanoke, VA 24006

Dear Senator Edwards:

A constituent, who is also an attorney, contacted me in reference to Title 8.01, Chapter 4, Limitations of Actions, of the Code of Virginia. He noted that while this chapter includes a compilation of various statutes of limitations, it is incomplete because other statutes of limitations are scattered elsewhere in the Code. He recommends that all the Statutes of Limitations not presently included in Title 8.01, Chapter 4 of the Code of Virginia be referenced in this Chapter to avoid confusion. In addition, he suggests legislation be enacted to mandate such referencing.

I would appreciate your thoughtful review of his suggestion. If you would like to contact him directly to discuss his suggestions, I would be pleased to provide you his contact information. Thank you for your service to the citizens of Virginia.

Best regards,

Thomas Davis Rust

cc: Mr. J. M. Sonies

Status of Legislation Recommended by the Virginia Code Commission - 2015 Session

Passed

[HB 1398](#) - [LeMunyon](#) - **Revision of Title 33.1. Corrects typographical errors and other mistakes from the revision and recodification of Title 33.1. The bill also implements clarifying changes and other changes made in the revision and recodification of Title 33.2.**

The bill also repeals the Woodrow Wilson Bridge and Tunnel Compact, which is not in effect, and reinserts language that was omitted from Chapter 805 of the Acts of Assembly of 2014 and provides that the reinsertion is effective retroactively to October 1, 2014.

The bill also relocates the Williamsburg Area Transit Authority from Title 15.2 to Title 33.2 and includes necessary savings clauses for this renumbering and relocation.

Chapter 256

[HB 1609](#) - [Habeeb](#) - **Severability. Removes severability clauses by repeal or amendment throughout the Code of Virginia pursuant to the general severability clause, § 1-243. Severability clauses currently found in the Code are inconsistent and misleading and create the assumption that other sections of the Code are not severable. Severability sections applying outside of the Code of Virginia, for example to administrative regulations and interstate compacts, are maintained.**

Chapter 709

[HB 1610](#) - [Habeeb](#) - **Punitive or exemplary damages. Provides consistency by changing references to "exemplary damages" or "punitive or exemplary damages" to "punitive damages." The terms "exemplary" and "punitive" are interchangeable. The bill also makes technical corrections.**

Chapter 710

[SB 927](#) - [Edwards](#) - **Administrative Process Act; disqualification; presiding officers and hearing officers. Establishes a process for the disqualification of presiding officers and hearing officers in situations where such officers cannot accord a fair and impartial hearing or consideration or when required by the applicable rules governing the practice of law. A presiding officer or hearing officer shall be subject to disqualification for any factor leading a reasonable person to question his impartiality, including prejudice, financial interest, and ex parte communications. The bill establishes a process for challenging the initial decision to not disqualify.**

Chapter 636

[SB 928](#) - [Edwards](#) - **Virginia Administrative Process Act; default by nonappearing party. Establishes a mechanism to more efficiently dispose of contested matters under the Virginia Administrative Process Act where the defendant in an administrative proceeding fails to appear at a hearing without a valid excuse. Currently, unless an agency's enabling statute provides differently, there is no provision for allowing an agency to enter a default order in a case in which the defendant fails to appear at a hearing. The bill's provisions do not apply to any administrative hearings process that is governed by § 32.1-325.1 relating to provider appeals.**

Chapter 638

[SB 1050](#) - [McDougle](#) - **Military and emergency laws; obsolete provisions. Repeals provisions of Title 44 deemed obsolete by the Code Commission. Provisions related to the Naval Militia are repealed as no evidence of the existence of the Naval Militia in Virginia can be found. The bill repeals other provisions related to ancient privileges retained by the Corps, authority of the Adjutant General to adopt a seal, provision of health insurance that is supplied**

Chapter 221

| | |
|--|--|
| <p>elsewhere, and use of armories. An unused section requiring a loyalty oath by persons employed or associated with an emergency services organization is repealed. Also repealed are several wartime-specific provisions enacted during World War II, including provisions dealing with air raid precautions, issuing agents for the sale of obligations of the United States, health and sanitation rules, and acquisition of motor vehicle tires and a 1944 provision regarding powers of attorney and agency agreements that expired six months after the end of World War II.</p> | |
| <p><u>SB 1330</u> - <u>Edwards</u> - Board for Rights of the Disabled and Board for the Rights of Virginians with Disabilities. Repeals an obsolete section of the Code of Virginia stating that whenever the terms "Board for Rights of the Disabled" and "Board for the Rights of Virginians with Disabilities" are used, the terms shall mean "Virginia Board for People with Disabilities." The terms "Board for Rights of the Disabled" and "Board for the Rights of Virginians with Disabilities" do not appear in the Code of Virginia.</p> | Chapter 123 |
| <p><u>Failed</u></p> | |
| <p><u>SB 926</u> - <u>Edwards</u> - Notice provisions; third party commercial carrier. Provides that, in Titles 16.1, 17.1, 18.2, and 19.2, when service, delivery, or transmission of any notice or paper in any proceeding is authorized to be accomplished by mail, ordinary mail, registered mail, or certified mail, then service, delivery, or transmission by a third party commercial carrier is deemed to be authorized by such provision.</p> | Left in House Courts |
| <p><u>SB 929</u> - <u>Edwards</u> - State agencies; use of third-party commercial carrier for service, delivery, or transmission of notices. Authorizes state agencies under Titles 2.2 and 54.1 of the Code of Virginia to use a third-party commercial carrier when service, delivery, or transmission of any notice or paper is authorized or required to be accomplished by mail, ordinary mail, registered mail, or certified mail. The bill also (i) provides that any applicable requirements in other titles of the Code of Virginia or the Rules of the Supreme Court of Virginia for proof of any service, delivery, or transmission shall remain in effect when a third-party commercial carrier is used and (ii) specifies that where registered or certified mail is required, proof of service must also be required by the third-party commercial carrier.</p> | Left in House Courts |
| <p><u>Not Introduced</u></p> | |
| <p>Housing; removal of obsolete provisions; correction of citation. Removes the obsolete provisions in the Industrialized Building Safety Law relating to the effective date of regulations made pursuant to the Act and the application of penalties. The bill also removes obsolete language regarding staggered terms for members of the Manufactured Housing Board and corrects a citation to the Housing Revitalization Zone Act (§ 36-157 et seq.).</p> | Revisit during next obsolete laws review |
| <p>Southeastern Interstate Forest Fire Protection Compact and Middle Atlantic Interstate Forest Fire Protection Compact. Codifies two forest fire protection compacts from the 1956 and 1966 Acts of Assembly that were currently are incorporated by reference in Title 10.1 of the Code in furtherance of the provisions of pursuant to § 30-154.1 and the Code Commission policy that all compacts be codified. Both compacts are in effect. The only changes to the Acts of Assembly as they were adopted in 1956 and 1966 are to update §§ 3 and 4 of the Southeastern Interstate Forest Fire Protection Compact to properly identify Virginia's State Forester. The bill is a recommendation of the Code Commission.</p> | Revisit during review of compacts volume |