

Organizational Structure of the Codes of Virginia:

1819: Two volumes. Numbering system is by chapter (1-262) only. Statutes then in force are arranged by subject matter in the Table of Contents. Individual statutes (Acts of Assembly) are identified as chapters, with the larger chapters broken into numbered paragraphs.

1849: One volume. Numbering system is by chapter (1-216) only. The Table of Contents divides the 216 chapters into 57 numbered titles. Individual paragraphs within chapters are set out with numbered section marks (§).

1887: One volume. Numbering system is by code section (1-4,205) only, set out with section marks (§). The Table of Contents divides the 4,205 code sections into 57 titles and 206 chapters.

1919: Two volumes. Numbering system is by code section (1-6,570) only, set out with section marks (§). The Table of Contents divides the 6,570 code sections into 59 titles and 243 chapters with sub-headings. The Tax Code is set out separately with 146 code sections.

The last revision of the 1919 Code was published in one volume dated 1942 by the Michie Company. Sub-headings in the original 1919 Table of Contents became numbered articles. Subsequent code sections created by Acts of Assembly were added to existing code sections followed by either parenthetical numbers (1) or letters (a).

1950: Nine volumes. Titles are organized alphabetically by subject matter. The numbering system is by title and code section, separated by a dash (-); ergo, a one-dash system. Chapters are set forth in the Table of Contents and articles set forth as headings in the body of the Code. Additional code sections created by Acts of Assembly are added to the existing title-code section configuration with numbers separated by a structured use of alternating periods (.) and colons (:).

Revised title numbers are followed by a period (.) and number reflecting the version of revision. As of May 2016, these are either .01, .1, or .2. Also, title revisions since 1984 include the chapter number embedded at the beginning of the code section portion of the code section numbers. Two new titles (66 and 67) have been added out of alphabetical order and four title revisions (6.2, 12.1, 23.1, and 37.2) have amended title names such that they are no longer in alphabetical order.

Seventeen titles have been added, including 13 titles forming the Uniform Commercial Code, and seven titles have been repealed, most incorporated into other titles during a title revision process. As of May 2016, there are 75 titles in the Code of Virginia.

The unsuccessful 2007 reorganization of the Code considered a two-dash system reflecting title-chapter-code section (with embedded article) numbering but questions arose concerning limitations of this configuration in amending chapters and articles.

2016 Legislation Referred by Committee to Code Commission

Referred by House Courts of Justice	Summary
<p>HB 595 - Simon - Married women; property rights.</p>	<p>Repeals obsolete provisions in the Code of Virginia relating to property rights of married women. The bill retains provisions relating to (i) a spouse's responsibility for the other spouse's contract or tort liability to a third party and (ii) the abolishment of separate estates, by relocating those provisions to appropriate titles in the Code</p>
Referred by House General Laws	Summary
<p>HB 77 - Marshall, R.G. - Sex or gender discrimination; applicable federal law.</p>	<p>Provides that for the purposes of the Virginia Human Rights Act, an "unlawful discriminatory practice" shall not include conduct that violates any federal administrative policy, rule, or regulation adopted on or after January 1, 2012.</p>
<p>HB 179 - Kory - Virginia Human Rights Act; prohibits discrimination in employment.</p>	<p>Prohibits discrimination in private or public employment based on sexual orientation or status as a veteran. Under the Virginia Human Rights Act, such discrimination is actionable if the violating employer has between five and 15 employees. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" does not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill also conforms various provisions prohibiting discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or veteran status. The bill contains technical amendments.</p>
<p>HB 300 - Simon - Virginia Fair Housing Law; unlawful discrimination, definition of sexual orientation, etc.</p>	<p>Adds discrimination based on sexual orientation or gender identity as an unlawful discriminatory housing practice. The bill defines "sexual orientation" and "gender identity."</p>
<p>HB 397 - LaRock - Discrimination; specification of certain terms relating to sex or gender.</p>	<p>Specifies that the terms "because of gender," "because of sex," "on the basis of gender," and "on the basis of sex" and terms of similar import when used in reference to discrimination in the Code and acts of the General Assembly mean because of or on the basis of the biologic character or quality that distinguishes an individual as either male or female as determined at birth by analysis of the individual's gonadal, internal and external morphologic, chromosomal, and hormonal characteristics. The bill provides that, consistent with Article I, Section 11 of the Constitution of Virginia, no local ordinance prohibiting discrimination on</p>

2016 Legislation Referred by Committee to Code Commission

Referred by House General Laws	Summary
	<p>the basis of sex shall consider the mere separation of individuals by sex to be discrimination. The bill permits local school boards to enact policies prohibiting discrimination in education on the basis of race, color, religion, sex, pregnancy, childbirth or related medical conditions, national origin, age, marital status, or disability, provided that, consistent with Article I, Section 11 of the Constitution of Virginia, no such policy shall consider the mere separation of individuals by sex to be discrimination.</p>
<p><u>HB 427</u> - <u>Hope</u> - Conversion therapy; prohibited, no state funds shall be expended for purpose of therapy.</p>	<p>Prohibits any health care provider or person who performs counseling as part of his training for any profession licensed by a regulatory board of the Department of Health Professions from engaging in conversion therapy with any person under 18 years of age. The bill defines "conversion therapy" as any practice or treatment that seeks to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. "Conversion therapy" does not include counseling that provides assistance to a person undergoing gender transition, or counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual-orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change an individual's sexual orientation or gender identity. The bill provides that no state funds shall be expended for the purpose of conducting conversion therapy, referring a person for conversion therapy, extending health benefits coverage for conversion therapy, or awarding a grant or contract to any entity that conducts conversion therapy or refers individuals for conversion therapy.</p>
<p><u>HB 429</u> - <u>Villanueva</u> - Virginia Human Rights Act; public employment, prohibited discrimination.</p>	<p>Prohibits discrimination in employment on the basis of sexual orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" does not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill also codifies existing prohibited discrimination in public employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill contains technical amendments.</p>
<p><u>HB 913</u> - <u>Toscano</u> - Discrimination; prohibited in employment and housing.</p>	<p>Prohibits discrimination in private or public employment on the basis of sexual orientation or gender identity. The bill also adds discrimination on the basis of sexual orientation or gender</p>

2016 Legislation Referred by Committee to Code Commission

Referred by House General Laws	Summary
	identity as an unlawful discriminatory housing practice. The bill defines "sexual orientation" and "gender identity." The bill also conforms various provisions prohibiting discrimination in public employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, or disability.
HB 1005 - Levine - VA Human Rights Act; public employment, public accommodation, & housing, prohibited discrimination.	Prohibits discrimination in employment and public accommodation on the basis of sexual orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" does not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill also codifies existing prohibited discrimination in public employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill also adds discrimination based on sexual orientation or gender identity as an unlawful discriminatory housing practice. The bill contains technical amendments.
SB 12 - Ebbin - Public employment; prohibited discrimination based on sexual orientation or gender identity.	Prohibits discrimination in public employment on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a special disabled veteran or other veteran.
SB 67 - Wexton - Virginia Fair Housing Law; unlawful discriminatory housing practices, sexual orientation, etc.	Adds discrimination on the basis of an individual's sexual orientation or gender identity as an unlawful housing practice. The bill also defines sexual orientation and gender identity.

Virginia Code Commission Legislation - 2016 Session of the General Assembly

SUBJECT	DESCRIPTION	STATUS	PATRON	CATEGORY
Revision of Title 23, Educational Institutions	Creates proposed Title 23.1 (Institutions of Higher Education; Other Educational and Cultural Institutions) as a revision of existing Title 23 (Educational Institutions). Proposed Title 23.1 consists of 32 chapters divided into five subtitles: Subtitle I (General Provisions); Subtitle II (Students and Campus); Subtitle III (Management and Financing); Subtitle IV (Public Institutions of Higher Education); and Subtitle V (Other Educational and Cultural Institutions). The bill organizes the laws in a more logical manner, removes obsolete and duplicative provisions, and improves the structure and clarity of statutes pertaining to institutions of higher education and other educational and cultural institutions in the Commonwealth.	Ch. 588 Passed with amendments	LeMunyon	Recodification
Former City of Bedford	Updates Code references to the former City of Bedford to reflect town status.	Ch. 312	Austin, T.	Clean-up
Southeastern Interstate Forest Fire Protection Compact and Middle Atlantic Interstate Forest Fire Protection Compact	Codifies the text of the Southeastern Interstate Forest Fire Protection Compact and the Middle Atlantic Interstate Forest Fire Protection Compact, originally incorporated into the Code of Virginia by reference in 1956 and 1966, respectively. In the section that codifies the Southeastern Interstate Forest Fire Protection Compact, the names of state entities in the Commonwealth are updated. The bill also repeals an obsolete section of the 1956 act that originally provided for the appointment of members to a compact advisory committee; the committee no longer exists.	Ch. 566 Passed with amendments	Habeeb	Compacts
Obsolete tax statutes	Repeals obsolete tax-related statutes.	Ch. 305	McDougle	Obsolete
Housing; removal of obsolete provisions; correction of citation	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.).	Ch. 331	LeMunyon	Obsolete

Virginia Code Commission Legislation - 2016 Session of the General Assembly

SUBJECT	DESCRIPTION	STATUS	PATRON	CATEGORY
<p>Administrative Process Act; ex parte communications</p>	<p>Provides that, during the period that a hearing is pending, a hearing officer is prohibited from communicating with any person concerning the hearing without notice and opportunity for all parties to participate in the communication. The bill also provides that a hearing officer may communicate about a pending hearing in instances where the communication is authorized by law, involves a ministerial matter, or does not augment, diminish, or modify the evidence in the record. In addition, the bill establishes the procedures to be followed if a hearing officer makes or receives a prohibited communication and the relief that a hearing officer may provide in such instances.</p>	<p align="center">Ch. 478 Passed with amendments</p>	<p align="center">Edwards</p>	<p align="center">ALAC</p>
<p>Administrative Process Act; reconsideration of formal hearings</p>	<p>Provides a procedure for a party to file a petition for reconsideration of an agency's decision from a formal hearing under the Administrative Process Act (APA). The bill requires the agency to render a written decision on a party's timely petition for reconsideration within 30 days and may deny the petition, modify the decision, or vacate the decision and set a new hearing for further proceedings. The agency shall state the reasons for its action. The bill also provides for the reconsideration of other decisions of a policy-making board of a state agency. If reconsideration is sought for the decision of a board, the board may (i) consider the petition for reconsideration at its next regularly scheduled meeting, (ii) schedule a special meeting to consider and decide upon the petition within 30 days of receipt, or (iii) delegate authority to consider the petition to either the board chairman, a subcommittee of the board, or the director of the state agency that provides administrative support to the board.</p>	<p align="center">Ch. 694 Passed with amendments</p>	<p align="center">Edwards</p>	<p align="center">ALAC</p>



Suggested corrections to the Code of Virginia

2 messages

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Thu, Apr 28, 2016 at 11:35 AM

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The Appendix to title 50 of the United States Code has been eliminated. Thus, all citations to the Appendix to title 50 of the United States Code throughout the Code of Virginia need to be updated. If you are interested, there is useful information available at:

<http://uscode.house.gov/editorialreclassification/t50a-elim/index.html>.

The citations in Va. Code § 8.01-15.2 have been updated, effective July 1, 2016, through Senate Bill 27 (Chapter 643 of the 2016 Acts of Assembly). I have also contacted the Office of the Executive Secretary of the Supreme Court of Virginia requesting that needed updates be made to Form DC-418.

However, there are numerous other citations throughout the Code of Virginia that will also need to be updated. I am contacting the Virginia Code Commission to request that a "clean-up" bill be introduced in the 2017 General Assembly session to update the following citations:

Va. Code § 8.01-428:

Change "a person in the military service of the United States for purposes of 50 U.S.C. app. § 502" to be: "a servicemember as defined in 50 U.S.C. § 3911" in subsection (A) in order to match the new language, effective July 1, 2016, contained in Va. Code § 8.01-15.2

Change "a servicemember for purposes of 50 U.S.C. app. § 502" to be: "a servicemember as defined in 50 U.S.C. § 3911" in subsection (E)

Note: Form DC-434 will also need to be updated by the Office of the Executive Secretary of the Supreme Court of Virginia.

Va. Code § 19.2-152.12:

Change "50 U.S.C. App. § 501 et seq." to be: "50 U.S.C. § 3901 et seq."

Va. Code § 46.2-1609:

Change "50 U.S.C. App. § 501 et seq." to be: "50 U.S.C. § 3901 et seq."

Va. Code § 20-106:

Change "50 U.S.C. App § 501 et seq." to be: "50 U.S.C. § 3901 et seq."

Va. Code § 46.2-221.1:

Change "50 U.S.C. Appx. § 451 et seq." to be: "50 U.S.C. § 3801 et seq."

Va. Code § 46.2-1202:

Change "50 U.S.C. app. 501 et seq." to be: "50 U.S.C. § 3901 et seq."

Va. Code § 46.2-1200.2:

Change "50 U.S.C. App. 501 et seq." to be: "50 U.S.C. § 3901 et seq."

Va. Code § 64.2-408:

Change "50 U.S.C. app. § 501 et seq." to be: "50 U.S.C. § 3901 et seq."

Va. Code § 44-102.1:

Change "50 U.S.C. App. § 501 et seq." to be: "50 U.S.C. § 3901 et seq."

Va. Code § 15.2-907.2:

Change "Servicemembers Civil Relief Act, (50 U.S.C. App. §§ 501 -596 (19 Dec 2003)), et seq." to be

"Servicemembers Civil Relief Act (50 U.S.C. § 3901 et seq.)"

Va. Code § 46.2-708:

Change "50 U.S.C. App. § 501 et seq." to be: "50 U.S.C. § 3901 et seq."

Va. Code § 46.2-706:

Change "50 U.S.C. App. § 501 et seq." to be: "50 U.S.C. § 3901 et. seq."

Va. Code § 46.2-644.03:

Change "50 U.S.C. App. 501 et seq." to be: "50 U.S.C. § 3901 et. seq."

In addition, here are a couple of other suggested corrections I have for the Code of Virginia:

Va. Code § 8.01-126:

Suggestion: Replace "Virginia Residential Landlord Tenant Act" with "Virginia Residential Landlord and Tenant Act" in subsection (A).

Explanation: This corrects the reference to the VRLTA to reflect accurately the short title as defined in Va. Code § 55-248.2 and to match all other references throughout the Code of Virginia.

Va. Code § 55-248.34:1:

Suggestion: Replace "Chapter 13 (§ 8.01-374 et seq.) of Title 8.01" with "Article 13 (§ 8.01-124 et seq.) of Chapter 3 of Title 8.01" in subsection (A).

Explanation: This corrects the citation to the unlawful detainer provisions of Title 8.01. The current citation inaccurately references an unrelated portion of Title 8.01.

Thank you in advance for your prompt attention to this matter. I will be sure to let you know if I encounter any additional issues requiring correction.

Sincerely yours,

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