

Title 55.1 Proposed Subtitles

Subtitle I Real Estate Conveyances

- 1. Creation and Limitation of Estates; Their Qualities, §§ 55-1 through 55-25.1.**
- 3. Property Rights of Married Women, §§ 55-35 through 55-47.1.**
- 4. Form and Effect of Deeds and Covenants; Liens, §§ 55-48 through 55-79.06.**
- 5. Fraudulent and Voluntary Conveyances, Bulk and Conditional Sales, etc.; Writings Necessary to Be Recorded, §§ 55-80 through 55-105.**
- 8. Clouds on Title, §§ 55-153 through 55-155.**
- 15. Apportionment of Moneys; Management of Institutional Funds, §§ 55-253 through 55-277.**
- 20. Virginia Solar Easements Act, §§ 55-352 through 55-359.**

Subtitle II Real Estate Settlements and Recordation

- 6. Recordation of Documents, §§ 55-106 through 55-142.15.**
- 27. Virginia Residential Property Disclosure Act, §§ 55-517 through 55-525.**
 - 27.1. Exchange Facilitators Act, §§ 55-525.1 through 55-525.7.**
 - 27.2. Real Estate Settlements, §§ 55-525.8 through 55-525.15.**
 - 27.3. Real Estate Settlement Agents, §§ 55-525.16 through 55-525.32.**
- 28. Commercial Real Estate Broker's Lien Act, §§ 55-526, 55-527**

Subtitle III Rental Conveyances

- 13. Landlord and Tenant, §§ 55-217 through 55-248.**
 - 13.2. Virginia Residential Landlord and Tenant Act, §§ 55-248.2 through 55-248.40.**
 - 13.3. Manufactured Home Lot Rental Act, §§ 55-248.41 through 55-248.52.**
- 14. Emblements, §§ 55-249 through 55-252.**
- 25. Transfer of Deposits, § 55-507**

Title 55.1 Proposed Subtitles

Subtitle IV Common Interest Communities

- 4.1. Horizontal Property, §§ 55-79.1 through 55-79.38.**
- 4.2. Condominium Act, §§ 55-79.39 through 55-79.103.**
- 19. Subdivided Land Sales Act, §§ 55-336 through 55-351.**
- 21. The Virginia Real Estate Time-Share Act, §§ 55-360 through 55-400.**
- 24. Virginia Real Estate Cooperative Act, §§ 55-424 through 55-506.**
- 26. Property Owners' Association Act, §§ 55-508 through 55-516.2**

Subtitle V Miscellaneous

- 9. Assignments for Benefit of Creditors, §§ 55-156 through 55-167.**
- 10. Escheats Generally, §§ 55-168 through 55-201.1.**
- 11. Estrays and Drift Property, §§ 55-202 through 55-210.**
- 11.1. Disposition of Unclaimed Property, §§ 55-210.1 through 55-210.30.**
- 18. Trespasses; Fences, §§ 55-298 through 55-335.**
- 23. Virginia Self-Service Storage Act, §§ 55-416 through 55-423.**

Subtitle III Rental Conveyances

Part A. Residential Tenancies.

- Chapter XX (1) General Provisions.
- Chapter XX (2) Virginia Residential Landlord Tenant Act
- Chapter XX (3) Other Residential Tenancies
- Chapter XX (4) Manufactured Home Lot Rental Act
- Chapter XX (5) Residential Ground Rent Act

Part B. Commercial and Other Tenancies

- Chapter XX (6) Commercial Tenancies
- Chapter XX (7) Emblements

Title 55.1**Subtitle III Rental Conveyances Short Outline****PART A. RESIDENTIAL TENANCIES.****Chapter 1. General Provisions.****Article 1. In General**

§ 55.1-xxx. Applicability (§ 55-248.5)

§ 55.1-xxx. Definitions (§ 55-248.4)

§ 55.1-xxx. Appointment of resident agent by nonresident owner; service of process, etc., on such agent or on Secretary of the Commonwealth. (§ 55-218.1)

§ 55.1-xxx. Apportionment on purchase of part of land by holder of rent, etc. (§ 55-219)

§ 55.1-xxx. Perfection of lien or interest on leases, rents and profits. (§ 55-220.1)

§ 55.1-xxx. Energy submetering, energy allocation equipment, sewer and water submetering equipment, ratio utility billings systems; local government fees. (§ 55-226.2)

Article 2. Assignments

§ 55.1-xxx. Grantees and assignees have same rights against lessees as lessors (§ 55-217)

§ 55.1-xxx. Lessees, etc., have same rights against grantees, etc., as against lessors. (§ 55-218)

§ 55.1-xxx. What powers to pass to grantee or devisee; when attornment unnecessary. (§ 55-220)

§ 55.1-xxx. When attornment void. (§ 55-221)

Article 3. Landlord Obligations

§ 55.1-xxx. Required disclosures for properties with defective drywall; remedy for nondisclosure. (§ 55-248.12:2/55-225.11)

§ 55.1-xxx. Required disclosures for property previously used to manufacture methamphetamine; remedy for nondisclosure. (§ 55-248.12:3/§55-225.17)

§ 55.1-xxx. Landlord to maintain fit premises. (§ 55-248.13/§55-225.3)

§ 55.1-xxx. Retaliatory conduct prohibited. (§ 55-248.39/§55-225.18)

Article 4. Tenant Obligations

§ 55.1-xxx. Tenant to maintain dwelling unit. (§ 55-248.16/§55-225.4)

§ 55.1-xxx. Access following entry of certain court orders. (§ 55-248.18:1/§55-225.5)

Article 5. Tenant Remedies

§ 55.1-xxx. Noncompliance by landlord. (§ 55-248.21/§55-225.13)

§ 55.1-xxx. Early termination of rental agreements by victims of family abuse, sexual abuse, or criminal sexual assault. (§ 55-248.21:2/§55-225.16)

§ 55.1-xxx. Tenant's remedies for landlord's unlawful ouster, exclusion or diminution of service. (§ 55-248.26/§55-225.2)

41 **Article 6. Landlord Remedies**

42 § 55.1-xxx. Rent escrow required for continuance of tenant's case. (§ 55-248.25:1/§55-225.14)

43 § 55.1-xxx. Recovery of possession limited. (§ 55-248.36/§55-225.1)

44 § 55.1-xxx. Who may recover rent or possession. (§ 55-246.1)

45

46 **Chapter 2. Virginia Residential Landlord and Tenant Act.**47 **Article 1. General Provisions.**

48 § XX -xxx. Short title. (§ 55-248.2) - repeal

49 § XX -xxx. Purposes of chapter. (§ 55-248.3) - repeal

50 § 55.1-xxx. Applicability. (§ 55-248.3:1)

51 § 55.1-xxx. Notice. (§ 55-248.6)

52 § 55.1-xxx. Application deposit and application fee. (§ 55-248.6:1)

53 § 55.1-xxx. Terms and conditions of rental agreement; copy for tenant; accounting of rental payments.

54 (§ 55-248.7)

55 § 55.1-xxx. Prepaid rent; maintenance of escrow account. (§ 55-248.7:1)

56 § 55.1-xxx. Landlord may obtain certain insurance for tenant. (§ 55-248.7:2)

57 § 55.1-xxx. Effect of unsigned or undelivered rental agreement. (§ 55-248.8)

58 § 55.1-xxx. Prohibited provisions in rental agreements. (§ 55-248.9)

59 § 55.1-xxx. Confidentiality of tenant records. (§ 55-248.9:1)

60 § 55.1-xxx. Landlord and tenant remedies for abuse of access. (§ 55-248.10:1)

61 § 55.1-xxx. Actions to enforce the chapter. (§ 55-248.40)

62

63 **Article 2. Landlord Obligations**

64 § 55.1-xxx. Inspection of premises. (§ 55-248.11:1)

65 § 55.1-xxx. Disclosure of mold in dwelling units. (§ 55-248.11:2)

66 § 55.1-xxx. Disclosure. (§ 55-248.12)

67 § 55.1-xxx. Required disclosures for properties located adjacent to a military air installation; remedy

68 for nondisclosure. (§ 55-248.12:1)

69 § 55.1-xxx. Landlord to maintain fit premises; carbon monoxide. (§ 55-248.13 (A)(8))

70 § 55.1-xxx. Landlord to provide locks and peepholes. (§ 55-248.13:1)

71 § 55.1-xxx. Access of tenant to cable, satellite and other television facilities. (§ 55-248.13:2)

72 § 55.1-xxx. Notice to tenants for insecticide or pesticide use. (§ 55-248.13:3)

73 § 55.1-xxx. Limitation of liability. (§ 55-248.14)

74 § 55.1-xxx. Tenancy at will; effect of notice of change of terms or provisions of tenancy.

75 (§ 55-248.15)

76 § 55.1-xxx. Security deposits. (§ 55-248.15:1)

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78 **Article 3. Tenant Obligations.**

79 § 55.1-xxx. Tenant to maintain dwelling unit. (§ 55-248.16)

80 § 55.1-xxx. Rules and regulations. (§ 55-248.17)

- 81 § 55.1-xxx. Access; consent; correction of nonemergency conditions; relocation of tenant. (§ 55-
82 248.18)
- 83 § 55.1-xxx. Relocation of tenant where mold remediation needs to be performed in the dwelling unit.
84 (§ 55-248.18:2)
- 85 § 55.1-xxx. Use and occupancy by tenant. (§ 55-248.19)
- 86 § 55.1-xxx. Tenant to surrender possession of dwelling unit. (§ 55-248.20)

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Article 4. Tenant Remedies.

- 89 § 55.1-xxx. Early termination of rental agreement by military personnel. (§ 55-248.21:1)
- 90 § 55.1-xxx. Failure to deliver possession. (§ 55-248.22)
- 91 § 55.1-xxx. Wrongful failure to supply heat, water, hot water or essential services. (§ 55-248.23)
- 92 § 55.1-xxx. Fire or casualty damage. (§ 55-248.24)
- 93 § 55.1-xxx. Landlord's noncompliance as defense to action for possession for nonpayment of rent. (§
94 55-248.25)
- 95 § 55.1-xxx. Tenant's assertion; rent escrow. (§ 55-248.27)

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Article 5. Landlord Remedies.

- 98 § 55.1-xxx. Noncompliance with rental agreement; monetary penalty. (§ 55-248.31)
- 99 § 55.1-xxx. Barring guest or invitee of tenants. (§ 55-248.31:01)
- 100 § 55.1-xxx. Sheriffs authorized to serve certain notices; fees therefor. (§ 55-248.31:1)
- 101 § 55.1-xxx. Remedy by repair, etc.; emergencies. (§ 55-248.32)
- 102 § 55.1-xxx. Remedies for absence, nonuse and abandonment. (§ 55-248.33)
- 103 § 55.1-xxx. Landlord's acceptance of rent with reservation. (§ 55-248.34:1)
- 104 § 55.1-xxx. Remedy after termination. (§ 55-248.35)
- 105 § 55.1-xxx. Periodic tenancy; holdover remedies. (§ 55-248.37)
- 106 § 55.1-xxx. Disposal of property abandoned by tenants. (§ 55-248.38:1)
- 107 § 55.1-xxx. Authority of sheriffs to store and sell personal property removed from residential
108 premises; recovery of possession by owner; disposition or sale. (§ 55-248.38:2)
- 109 § 55.1-xxx. Disposal of property of deceased tenants. (§ 55-248.38:3)

110

Chapter 3. Other Residential Tenancies**Article I. In General**

- 113 § 55.1-xxx. Applicability. (New)
- 114 § 55.1-xxx. Written act of reentry to be returned and recorded, and certificate thereof published. (§
115 55-245)
- 116 § 55.1-xxx. Fee of clerk. (§ 55-246)

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Article 2. Landlord Obligations

- 119 § 55.1-xxx. Inspection of dwelling unit. (§ 55-225.6)
- 120 § 55.1-xxx. Disclosure of mold in dwelling units. (§ 55-225.7)

121 § 55.1-xxx. Notice to tenant in event of foreclosure (§ 55-225.10)

122 § 55.1-xxx. Notice to terminate tenancy; on whom served; when necessary. (§ 55-222)

123 § 55.1-xxx. Receipt required for certain rental payments; upon request. (§ 55-225.15)

124

125 **Article 3. Tenant Obligations**

126 § 55.1-xxx. Effect of failure of tenant to vacate premises at expiration of term. (§ 55-223)

127 § 55.1-xxx. Relocation of tenant where mold remediation needs to be performed in dwelling unit.
128 (§ 55-225.9)

129

130 **Article 4. Tenant Remedies**

131 § 55.1-xxx. Tenant's assertion; rent escrow; dwelling. (§ 55-225.12)

132 § 55.1-xxx. How judgment of forfeiture prevented. (§ 55-243)

133 § 55.1-xxx. How person entitled, etc., to lands may be restored to his possession. (§ 55-247)

134 § 55.1-xxx. Limitation of suit, etc., against person in possession by reentry. (§ 55-248)

135 § 55.1-xxx. When tenant deserts premises, how landlord may enter, etc. (§ 55-224)

136 § 55.1-xxx. Failure to pay certain rents after five day's notice forfeits right of possession. (§ 55-225)

137 § 55.1-xxx. Authority of sheriffs to store and sell personal property removed from premises; recovery
138 of possession by owner; disposition or sale. (§ 55-237.1)

139 § 55.1-xxx. Remedy when rent is to be paid in other thing than money. (§ 55-238)

140 § 55.1-xxx. Proceedings to establish right of reentry, and judgment therefor. (§ 55-239)

141 § 55.1-xxx. When defendant barred of relief. (§ 55-240)

142 § 55.1-xxx. How owner, etc., relieved in equity. (§ 55-242)

143 § 55.1-xxx. When suit for reentry brought. (§ 55-244)

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145 **Chapter 4. Manufactured Homes**

146 § 55.1-xxx. Definitions. (§ 55-248.41)

147 § 55.1-xxx. Written agreement required. (§ 55-248.42)

148 § 55.1-xxx. Term of rental agreement; renewal; security deposits. (§ 55-248.42:1)

149 § 55.1-xxx. Landlord's obligations. (§ 55-248.43)

150 § 55.1-xxx. Tenant's obligations. (§ 55-248.44)

151 § 55.1-xxx. Rent; liability of secured party taking possession of an abandoned manufactured home. (§
152 55-248.44:1)

153 § 55.1-xxx. Demands and charges prohibited; access by tenant's invitees; purchases by manufactured
154 home owner not restricted; exception; conditions of occupancy. (§ 55-248.45)

155 § 55.1-xxx. Charge for utility service. (§ 55-248.45:1)

156 § 55.1-xxx. Termination of tenancy. (§ 55-248.46)

157 § 55.1-xxx. Waiver of landlord's right to terminate. (§ 55-248.46:1)

158 § 55.1-xxx. Sale or lease of manufactured home by owner. (§ 55-248.47)

159 § 55.1-xxx. Other provisions of law applicable. (§ 55-248.48)

160 § 55.1-xxx. Power of local governments over manufactured home parks. (§ 55-248.49)

- 161 § 55.1-xxx. Retaliatory conduct prohibited. (§ 55-248.50)
162 § 55.1-xxx. Eviction of resident. (§ 55-248.50:1)
163 § 55.1-xxx. Right to sell home upon eviction. (§ 55-248.50:2)
164 § 55.1-xxx. Penalties for violation of chapter. (§ 55-248.51)
165 § 55.1-xxx. Injunctive relief. (§ 55-248.52)

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Chapter 5. Residential Ground Rent Act

- 168 § 55.1-xxx. Definitions. (§ 55-79.01)
169 § 55.1-xxx. Form of instrument. (§ 55-79.02)
170 § 55.1-xxx. Changes in amount of rent. (§ 55-79.03)
171 § 55.1-xxx. Encumbrance on real property. (§ 55-79.04)
172 § 55.1-xxx. Redemption rights. (§ 55-79.05)
173 § 55.1-xxx. Incorporation of agreement into deed. (§ 55-79.06)

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191 **PART B. COMMERCIAL AND OTHER TENANCIES.**192 **Chapter 6. Commercial and Other Residential Tenancies**193 **Article I. In General**

194 § 55.1-xxxx. Applicability. (New)

195 § 55.1-xxx. Definitions. (New; some based on § 55-248.4)

196 § 55.1-xxx. Appointment of resident agent by nonresident property owner; service of process, etc., on
197 such agent or on Secretary of the Commonwealth. (§ 55-218.1)

198 § 55.1-xxx. Apportionment on purchase of part of land by holder of rent, etc. (§ 55-219)

199 § 55.1-xxx. Energy submetering, energy allocation equipment, sewer and water submetering
200 equipment, ration utility billings systems; local government fees. (§ 55-226.2)201
202 **Article 2. Assignments**

203 § 55.1-xxx. Grantees and assignees to have same rights against lessees as lessors, etc. (§ 55-217)

204 § 55.1-xxx. Lessors, etc., to have same rights against grantees, etc., as against lessors. (§ 55-218)

205 § 55.1-xxx. What powers to pass to grantee or devisee; when attornment unnecessary. (§ 55-220)

206 § 55.1-xxx. When attornment void. (§ 55-221)

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208 **Article 3. Deeds of Lease**

209 § 55.1-xxx. Form of a lease. (§ 55-57)

210 § 55.1-xxx. Memoranda of leases and options. (§ 55-57.1)

211 § 55.1-xxx. Of lessee "to pay the rent" and "to pay the taxes.". (§ 55-76)

212 § 55.1-xxx. "That he will not assign, etc.," and "that he will leave the premises in good repair.". (§ 55-
213 77)

214 § 55.1-xxx. Covenant "for lessee's quiet enjoyment.". (§ 55-78)

215 § 55.1-xxx. Effect of provision for reentry by lessor. (§ 55-79)

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217 **Article 4. Landlord Obligations**

218 § 55.1-xxx. Notice to terminate a tenancy; on whom served; when necessary. (§ 55-222)

219 § 55.1-xxx. Buildings destroyed or lessee deprived of possession; covenant to pay rent or repair;
220 reduction of rent. (§ 55-226)

221 § 55.1-xxx. Security systems for commercial rental property. (§ 55-226.1)

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223 **Article 5. Landlord Remedies**

224 § 55.1-xxx. Effect of failure of tenant to vacate premises at expiration of term. (§ 55-223)

225 § 55.1-xxx. When tenant deserts premises, how landlord may enter, etc. (§ 55-224)

226 § 55.1-xxx. Failure to pay certain rents after five days' notice forfeits right of possession. (§ 55-225)

227 § 55.1-xxx. Authority of sheriffs to store and sell personal property removed from premises; recovery
228 of possession by owner; disposition or sale. (§ 55-237.1)

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Chapter 7. Emblements.

§ 55.1-xxx. Law of emblements. (§ 55-249)

§ 55.1-xxx. What rent tenant entitled to emblements to pay. (§ 55-250)

§ 55.1-xxx. Compensation to outgoing tenant for preparation of land for crop. (§ 55-251)

§ 55.1-xxx. Lessee of life tenant, etc., to hold to end of year on death of tenant; apportionment of rent. (§ 55-252)

PROPOSED SECTIONS TO RELOCATE TO OTHER SUBTITLES OR CHAPTERS**1. Sections proposed to be relocated to newly created Article 13.1 in Chapter 3 of Title 8.01:**

§ 55-227. Remedy for rent and for use and occupation. (§ 8.01-130.01)

§ 55-228. Who may recover rent, etc. (§ 8.01-130.02)

§ 55-229. Who liable for rent. (§ 8.01-130.03)

§ 55-230. When and by whom distress made. (§ 8.01-130.04)

§ 55-230.1. Procedure for trial on warrant in distress. (§ 8.01-130.05)

§ 55-231. On what goods levied; to what extent goods liable; priorities between landlord and other lienors. (§ 8.01-130.06)

§ 55-232. Procedure when distress levied and tenant unable to give forthcoming bond; what defense may be made. (§ 8.01-130.07)

§ 55-232.1. Repealed

§ 55-232.2. Review of decision to issue ex parte order or process; claim of exemption. (§ 8.01-130.08)

§ 55-233. On what terms purchasers and lienors inferior to landlord may remove goods; certain liens not affected. (§ 8.01-130.09)

§ 55-234. When good of an undertenant may be removed from leased premises. (§ 8.01-130.10)

§ 55-235. When officer may enter by force to levy distress or attachment. (§ 8.01-130.11)

§ 55-236. When distress not unlawful because of irregularity, etc. (§ 8.01-130.12)

§ 55-237. Return of execution; process of sale thereunder. (§ 8.01-130.13)

2. Section proposed to be relocated to Subtitle I (Real Estate Conveyances) of Proposed Title 55.1:

§ 55-241. How trustee or mortgagee relieved from the forfeiture.

2017 Code of Virginia Replacement Volume Recommendations

Vol	Title	Subject	Edition	BV pp*	16 CS	%	Lexis*	Replacement Candidates
1	1-2.2	Gen. Prov., Adm. of Govt.	2014	1080	392	36.3%	1184	stand alone
1A	3.2	Agriculture	2016	550	0	0.0%		
1B	4.1-7.1	Alcoholic Bev. -- Boundaries	2016	749	0	0.0%		
2	8.01	Civil Remedies & Procedure	2015	1386	68	4.9%	1380	
2A	8.1-8.11	UCC	2015	1029	12	1.2%		
2B	9-10.1	Commissions -- Conservation	2012	680	178	26.2%	685	
3	11-14.1	Contracts to Corporations	2016	544	0	0.0%	693	
3A	15.2	Counties, Cities, and Towns	2012	1346	295	21.9%	1380	
3B	16.1-17.1	Courts	2015	690	75	10.9%	705	
4	18.2	Crimes	2014	1197	144	12.0%	1254	
4A	19.2	Criminal Procedure	2015	795	87	10.9%	814	
4B	20, 21	Domestic Relations, Drainage	2016	722	0	0.0%		
5	22.1, 23.1	Education -- Eminent Domain	2016	785	0	0.0%	1212	stand alone
5A	24.2-28.2	Elections - Fiduciaries	2016	808	0	0.0%	767	
5B	29.1-32.1	Game to Health	2015	886	145	16.4%	915	
6	33.2-37.2	Highways -- Institutions for the Mentally Ill	2014	866	252	29.1%	946	
6A	38.2	Insurance	2014	1231	129	10.5%	1217	
6B	40.1-45.1	Labor & Employment -- Mines & Mining	2013	655	102	15.6%	673	
7	46.2	Motor Vehicles	2014	1186	344	29.0%	1147	stand alone
7A	47.1 - 53.1	Notaries to Prisons	2013	758	165	21.8%	787	
7B	54.1	Professions	2013	698	282	40.4%	788	
8	55-57	Property -- Religious & Charitable Matters	2012	1203	280	23.3%	1267	2018 Recodification
8A	58.1	Taxation	2013	1181	338	28.6%	1234	stand alone
9	59.1-62.1	Trade -- Waters	2014	1172	192	16.4%	1261	
9A	63.2-67	Welfare -- Youth & Family Services	2012	1552	320	20.6%	1660	stand alone* This volume needs be split as 9A (Titles 63.2 and 64.2) and 9B (Titles 65.2-67).
10		Tables	2015	683	27	4.0%		
11		Rules	2016	n/a	n/a	n/a		
12		Index	2016	n/a	n/a	n/a		
13		Index	2016	n/a	n/a	n/a		
Compacts		Compacts	2010	514	157	30.5%		
Const.		Consts.	2008	296	76	25.7%		
LEO1		LEO/UPL	2002	631	58	9.2%		
LEO2		LEO/UPL	2013	955	74	7.7%		
		* BV and Lexis page counts do not include prelims.						

VIRGINIA CODE ANNOTATED

	2017 PRICES				2016 PRICES			
	STATE (6 Replacement Volumes)	PRIVATE (6 Replacement Volumes)	STATE (5 Replacement Volumes)	PRIVATE (5 Replacement Volumes)	STATE (4 Replacement Volumes)	PRIVATE (4 Replacement Volumes)	STATE (6 Replacement Volumes)	PRIVATE (6 Replacement Volumes)
SUPPLEMENT	\$181.80	\$235.00	\$191.00	\$247.75	\$209.00	\$278.50	\$174.80	\$226.00
INDEX	\$92.00	\$97.25	\$ 92.00	\$ 97.25	\$92.00	\$97.25	\$ 88.50	\$93.50
VOLUMES (EACH)	\$49.50	\$61.60	\$ 49.50	\$ 61.60	\$49.50	\$61.60	\$ 47.50	\$59.25
VOLUME 11	\$37.50	\$49.50	\$ 37.50	\$ 49.50	\$37.50	\$49.50	\$ 36.00	\$47.50
VOLUME 11 SUPP	\$12.50	\$12.50	\$12.50	\$ 12.50	\$12.50	\$12.50	\$ 12.00	\$12.00
ADVANCE CODE SERVICE		\$74.75		\$ 74.75		\$74.75		\$72.00
TOTAL	\$620.80	\$838.60	\$580.50	\$789.75	\$549.00	\$758.90	\$596.30	\$806.50

(STATE GOVERNMENT PRICING FOR PURCHASES OUTSIDE OF THE CODE COMMISSION PURCHASE)

PPI increase is 4%

WORK GROUP MEMBERS

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Employment

Tara Casey

Doris Crouse-Mays

Claire Guthrie Gastañaga

Colleen Quinn

Equality Virginia

Virginia Family Foundation

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Office of the Attorney General

Code Sections with Gender-Specific Terms

Section	Catchline	Work Group
§ 2.2-213.	Secretary of Health and Human Resources to develop certain criteria.	Health
§ 2.2-419.	Definitions.	Gov
§ 2.2-1147.1.	Right to breast-feed.	Gov
§ 2.2-3101.	Definitions.	Gov
§ 2.2-3106.	Prohibited contracts by officers and employees of state government and Eastern Virginia Medical School.	Gov
§ 2.2-3119.	Additional provisions applicable to school boards and employees of school boards; exceptions.	Gov
§ 2.2-3130.	Attendance requirements.	Gov
§ 2.2-3310.	Vietnam War Memorial Dedication and Veterans' Recognition Week.	Gov
§ 2.2-3900.	Short title; declaration of policy.	Employ
§ 2.2-3901.	Unlawful discriminatory practice and gender discrimination defined.	Employ
§ 2.2-3902.	Construction of chapter; other programs to aid persons with disabilities, minors and the elderly.	Employ
§ 2.2-3903.	Causes of action not created.	Employ
§ 2.2-4368.	Definitions.	Gov
§ 3.2-3300.	Southern Dairy Compact; form of compact.	Gov
§ 4.1-212.	Permits required in certain instances.	Gov
§ 6.2-1526.	Wage assignments.	Bank
§ 6.2-1527.	Liens on household furniture.	Bank
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§ 59.1-365.	Definitions.	Gov
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§ 59.1-444.2.	Security freezes.	Bank
§ 60.2-219.	Services not included in term "employment."	Employ
§ 60.2-608.	Child support intercept of unemployment benefits.	Dom Rel
§ 60.2-608.2.	Withholding of benefits; food stamp overissuance.	Dom Rel
§ 60.2-618.	Disqualification for benefits.	Dom Rel
§ 62.1-201.	Board of Directors.	Gov
§ 63.2-100.	Definitions.	Dom Rel
§ 63.2-332.	Powers and duties of local directors.	Dom Rel
§ 63.2-510.	Obligation of person to support certain children living in same home.	Dom Rel
§ 63.2-602.	Eligibility for Temporary Assistance for Needy Families (TANF); penalty.	Dom Rel

Section	Catchline	Work Group
§ 63.2-604.	Eligibility for TANF; children born to TANF recipients.	Dom Rel
§ 63.2-900.	Accepting children for placement in homes, facilities, etc., by local boards.	Dom Rel
§ 63.2-903.	Entrustment agreements; adoption.	Dom Rel
§ 63.2-1000.	Interstate Compact on the Placement of Children; form of compact.	Dom Rel
§ 63.2-1201.	Filing of petition for adoption; venue; jurisdiction; and proceedings.	Dom Rel
§ 63.2-1201.1.	Previously married persons who stood in loco parentis during the time of the marriage may adopt in the same manner as married persons.	Dom Rel
§ 63.2-1202.	Parental, or agency, consent required; exceptions.	Dom Rel
§ 63.2-1203.	When consent is withheld or unobtainable.	Dom Rel
§ 63.2-1215.	Legal effects of adoption.	Dom Rel
§ 63.2-1218.	Certain exchange of property, advertisement, solicitation prohibited; penalty.	Dom Rel
§ 63.2-1222.	Execution of entrustment agreement by birth parent(s); exceptions; notice and objection to entrustment; copy required to be furnished; requirement for agencies outside the Commonwealth.	Dom Rel
§ 63.2-1224.	Explanation of process, legal effects of adoption required.	Dom Rel
§ 63.2-1233.	Consent to be executed in juvenile and domestic relations district court; exceptions.	Dom Rel
§ 63.2-1237.	Petition for parental placement adoption; jurisdiction; contents.	Dom Rel
§ 63.2-1241.	Adoption of child by spouse of birth or adoptive parent.	Dom Rel
§ 63.2-1242.1.	Close relative adoption.	Dom Rel
§ 63.2-1249.	Establishment of Registry.	Dom Rel
§ 63.2-1250.	Registration; notice; form.	Dom Rel
§ 63.2-1251.	Furnishing information; confidentiality; penalty.	Dom Rel
§ 63.2-1252.	Search of registry.	Dom Rel
§ 63.2-1253.	Duty to publicize registry.	Dom Rel
§ 63.2-1505.	Investigations by local departments.	Dom Rel
§ 63.2-1509.	Requirement that certain injuries to children be reported by physicians, nurses, teachers, etc.; penalty for failure to report.	Dom Rel Health
§ 63.2-1519.	Physician-patient and husband-wife privileges inapplicable.	Dom Rel Health
§ 63.2-1603.	Protection of adults; definitions.	Gov

Section	Catchline	Work Group
§ 63.2-1724.	Records check by unlicensed child day center; penalty.	Dom Rel
§ 63.2-1902.	Central unit for information and administration; request and receipt of information from other entities and agencies; disclosure of such information.	Dom Rel
§ 63.2-1904.	Administrative support remedies available for individuals not receiving public assistance; fees.	Dom Rel
§ 63.2-1905.	Establishment of State Case Registry.	Dom Rel
§ 63.2-1909.	Receipt of public assistance for child as assignment of right in support obligation; Commissioner as attorney for endorsing drafts.	Dom Rel
§ 63.2-1913.	Administrative establishment of paternity.	Dom Rel
§ 63.2-1914.	Hospital paternity establishment programs.	Dom Rel
§ 63.2-1916.	Notice of administrative support order; contents; hearing; modification.	Dom Rel
§ 63.2-1919.	Requirement to provide financial statements.	Dom Rel
§ 63.2-1937.	Applications for occupational or other license to include social security or control number; suspension upon delinquency; procedure.	Dom Rel
§ 63.2-1946.	Virginia New Hire Reporting Center; State Directory of New Hires; reporting by employers.	Dom Rel
§ 63.2-1960.	Recovery of certain fees and costs.	Dom Rel
§ 64.2-101.	Construction of generic terms.	Bank
§ 64.2-102.	Meaning of child and related terms.	Bank
§ 64.2-103.	Evidence of paternity.	Bank
§ 64.2-200.	Course of descents generally; right of Commonwealth if no other heir.	Bank
§ 64.2-305.	Augmented estate; exclusions; valuation.	Bank
§ 64.2-308.13.	Right of election personal to surviving spouse; incapacitated surviving spouse.	Bank
§ 64.2-557.	Form for notice to show cause under § 64.2-556	Bank
§ 64.2-613.	Registration in beneficiary form; sole or joint tenancy ownership; applicable law.	Bank
§ 64.2-621.	Definitions.	Bank
§ 64.2-900.	Definitions.	Bank
§ 64.2-905.	Multiple beneficiaries; separate custodial trusts; survivorship.	Bank
§ 64.2-1614.	Judicial relief.	Bank
§ 64.2-1616.	Agent's resignation; notice.	Bank
§ 64.2-1900.	Definitions.	Bank
§ 64.2-2200.	Definitions.	Bank

Section	Catchline	Work Group
§ 64.2-2401.	Bond; orders as to management of estate; support of dependents.	Bank
§ 64.2-2503.	Concurrent ownership with or without survivorship.	Bank
§ 64.2-2600.	Definitions.	Bank
§ 65.2-515.	Persons conclusively presumed to be wholly dependent.	Employ
§ 65.2-517.	Termination of dependency.	Employ
§ 67-1403.	Board of the Authority.	Gov
Art. 1, 15-A	Marriage.	Dom Rel
Art. X, 6-A	Property tax exemption for certain veterans and surviving spouses of soldiers killed in action.	Gov

2016 Discrimination Legislation Referred to Code Commission

Bill	Patron	Summary	Work Group
HB 77	Marshall, R.G.	Sex or gender discrimination; applicable federal law. 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.	Employ
HB 179	Kory	Virginia Human Rights Act; prohibited discrimination in employment. 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.	Employ
HB 300	Simon	Fair Housing Law; unlawful discrimination; sexual orientation; gender identity. Adds discrimination based on sexual orientation or gender identity as an unlawful discriminatory housing practice. The bill defines "sexual orientation" and "gender identity."	House

Bill	Patron	Summary	Work Group
HB 397	La Rock	<p>Discrimination based on an individual's sex. 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 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>	Employ House
HB 427	Hope	<p>Conversion therapy prohibited. 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>	Health

Bill	Patron	Summary	Work Group
HB 429	Villanueva	Virginia Human Rights Act; public employment; prohibited discrimination; sexual orientation. 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.	Employ
HB 595	Simon	Property rights of married women. 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.	Bank Dom Rel
HB 913	Toscano	Prohibited discrimination in employment and housing. 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 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.	Employ House
HB 1005	Levine	Virginia Human Rights Act; public employment, public accommodation, and housing; prohibited discrimination; sexual orientation. 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.	Employ House

Bill	Patron	Summary	Work Group
SB 12	Ebbin	Nondiscrimination in public employment. 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.	Employ
SB 67	Wexton	Virginia Fair Housing Law; unlawful discriminatory housing practices; sexual orientation and gender identity. 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.	House

Code Commission Meeting
August 1, 2016

Replacement Volumes - 2016

The contract for publication of the Virginia Administrative Code provides for Code Commission approval when West, the publisher, replaces more than four volumes of the administrative code in any given year.

West is recommending issuing five volumes this year as follows:

Volume Number	Contents	Pages
14	Titles 14, 15, and 16	1600±
15	Title 17 and part of Title 18 (18VAC5-10 through 18VAC95-30)	1600±
16	Remainder of Title 18 (18VAC100-10 through 18VAC160-20); Titles 19 & 20	1600±
17	Titles 21 and 22	1600±
18	Title 23 and 24 (last title in VAC)	1600±

Size of current VAC volumes:

Volume Number	Contents	Pages
Presented to and approved by Code Commission		
1	Title 1 and part of Title 2 (2VAC5-10 through 2VAC5-480)	810±
2	Remainder of Title 2 (2VAC5-490 through 2VAC20-51) & Title 3	750±
3	Part of Title 4 (4VAC3-10 through 4VAC25-40)	1180±
4	Remainder of Title 4 (4VAC25-50 through 4VAC50-90)	1070±
5	Titles 5 - 7 and part of Title 8 (8VAC20-10 through 8VAC20-131)	1600±
6	Remainder of Title 8 (8VAC20-140 through 8VAC115-30) and part of Title 9 (9VAC5-5 through 9VAC5-60)	1300±
7	Part of Title 9 (9VAC5-70 through 9VAC20-120)	1700±
8	Part of Title 9 (9VAC20-130 through 9VAC25-640)	1700±
9	Remainder of Title 9 (9VAC25-650 through 9VAC25-890)	1000±
Not presented to Code Commission		
10	Titles 10 and 11, and part of Title 12 (12VAC5-10 through 12VAC5-412)	1500±
11	Title 12 (12VAC5-420 through 12VAC25-40)	1500±
12	Title 12 (12VAC30-5 through 12 VAC30-150)	1200±
13	Title 12 (12VAC35-10 through 12VAC35-230) and Title 13	1100±

2016 Uncodified Acts Assigned Code Section Numbers and Enactments Placed in Code Sections

Section 1 Bills Assigned Code Section Numbers	
cc. 58 & 516	<p>§ 1-22.1-20.4. Alternative assessments for students who are English language learners. The Board of Education shall consider assessments aligned to the Standards of Learning that are structured and formatted in a way that measures the content knowledge of students who are English language learners and that may be administered to such students as Board of Education-approved alternatives to Standards of Learning end-of-course English reading assessments.</p>
c. 116	<p>§ 1-That notwithstanding 29.1-114. Hunting from aircraft feral hogs. Notwithstanding § 5.1-17 of the Code of Virginia, employees of the Department of Game and Inland Fisheries and employees of federal agencies whose responsibilities include fisheries and wildlife management, in the performance of such employees' official duties, may hunt or kill feral hogs in False Cape State Park and Back Bay National Wildlife Refuge from aircraft, with the permission of the landowner. However, no such activity shall occur during waterfowl season.</p>
c. 252	<p>§ 1-That the 54.1-504.1. Notices for handling asbestos. The Department of Professional and Occupational Regulation shall include with every asbestos worker's license a notice, in English and Spanish, containing a summary of the basic worker safety procedures regarding the handling of asbestos and information on how to file a complaint with the Virginia Board for Asbestos, Lead, and Home Inspectors.</p>
c. 578	<p>§ 1- 2.2-4310.3. Fiscal data pertaining to certain enhancement or remedial measures. The Department of General Services shall make available a dashboard of purchase order reports from the Commonwealth's statewide electronic procurement system known <u>as</u> eVA. The dashboard shall include aggregated data showing (i) current fiscal year purchase orders, (ii) purchase orders from the previous fiscal year, and (iii) other relevant data derived from any enhancement or remedial measure implemented by the Governor pursuant to subsection C of § 2.2-4310 of the Code of Virginia.</p>
c. 647	<p>§ 1-22.1-132.01. Youth-oriented, community organizations on school property. Local school boards shall, subject to the provisions of § 22.1-131 of the Code of Virginia, provide reasonable and appropriate access to school property to youth-oriented, community organizations such as the Boy Scouts of America and Girl Scouts of the USA, and their volunteers and staff, to distribute and provide instructional materials in order to encourage participation in such organizations and their activities. Any such access provided during the school day shall not conflict with instructional time. Such access may also include after-school sponsored activities such as "Back to School" events, where it can be reasonably accommodated.</p>
c. 701	<p>§ 1-46.2-1005.1 Auxiliary lights on motorcycles. The Superintendent of State Police shall establish guidelines setting forth a procedure pursuant to § 46.2-1005 to allow for the submission and approval of auxiliary lights on motorcycles that are not approved by the Society of Automotive Engineers and shall publish such procedure on the Department of State Police's website by January 1, 2017. The approval of any lights or equipment shall also be published on the Department's website and the Department shall notify official safety inspection stations of such approved equipment.</p>

2016 Uncodified Acts Assigned Code Section Numbers and Enactments Placed in Code Sections

Enactment Clauses Placed in Code Sections	
c. 322 enactment 2	<p>§ 15.2-2303.4. Provisions applicable to certain conditional rezoning proffers. (subsections A - E omitted)</p> <p>2. That this act <u>F. This section</u> shall be construed as supplementary to any existing provisions limiting or curtailing proffers or proffer condition amendments for new residential development or new residential use that are consistent with its terms and shall be construed to supersede any existing statutory provision with respect to proffers or proffer condition amendments for new residential development or new residential use that are inconsistent with its terms.</p>
cc. 300 & 661 enactment 2	<p>§ 58.1-439.12:11. Major research and development expenses tax credit. (subsections A - H omitted)</p> <p>2. That no- <u>I. No</u> tax credit shall be allowed pursuant to § 58.1-439.12:11 of the Code of Virginia, as created by this act <u>this section</u>, if the otherwise qualified research and development expenses are paid for or incurred by a taxpayer for research conducted in the Commonwealth on human cells or tissue derived from induced abortions or from stem cells obtained from human embryos. The foregoing provision shall not apply to research conducted using stem cells other than embryonic stem cells.</p>
cc. 325 & 755 enactment 2	<p>§ 58.1-1204. Rate of tax. (First paragraph omitted)</p> <p>2. That the <u>The</u> Department of Taxation shall notify all bank and trust companies in the Commonwealth of the increase in the maximum annual tax liability no later than August 15 of the year immediately prior to the year of such increase.</p>
cc. 350 & 529 enactment 2	<p>§ 55-210.20. Filing claim to property or proceeds of sale thereof. (subsections A - C omitted)</p> <p>2. That the <u>D. The</u> State Treasurer shall develop and make available a plain English explanation of a person's right to make a claim, in accordance with the provisions of this act, for property delivered to the Commonwealth in cases where the reported owner of the property is deceased. The State Treasurer shall also post such document on its website.</p>