

Commonwealth of Virginia		
Thomas A. Lisk, Chair Andrew Kubincanek, Program Coordinator		General Assembly Building 201 N. 9th Street, Fourth Floor Richmond, Virginia 23219 (Phone) 804-698-1810 akubincanek@dls.virginia.gov http://codecommission.dls.virginia.gov/alac/alac.shtml
Administrative Law Advisory Committee		

2026 Work Plan Administrative Law Advisory Committee

Virginia Administrative Process Act Article 2 Study

ALAC will form a work group to study and update Article 2 of the Virginia Administrative Process Act. ALAC has identified a grammatical issue in § 2.2-4012 B, along with several other items which may require clarification, including the definition of “adverse effects” in § 2.2-4007, and comment periods after the deletion of a guidance document and after the publication of a final adopted regulation. ALAC will work with the Department of Planning and Budget and other stakeholders to review these issues and will continue to study Article 2 for additional issues.

Preservation of Error Doctrine

ALAC previously formed a work group to study how the preservation of error doctrine and the procedural default rule apply in the regulatory context. The work group initiated a survey of other state codes on the preservation of error doctrine and procedural default and will continue collecting data.

Harmless Error Doctrine

ALAC previously formed a work group to discuss amending language on harmless error in § 2.2-4027 to more closely conform with federal law and other state laws. The work group will continue to study this issue and further refine the language.

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Michelle Gowdy
Paul Kugelman

Craig Maxey
Jeffrey S. Palmore
Mike Quinan
Brooks Smith

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