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HOUSE BILL NO. 1755

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rules
on February 12, 2001)

(Patron Prior to Substitute—Delegate McDonnell)

A BILL to amend and reenact §§ 30-19.3 and 30-28.18 of the Code of Virginia, relating to requests for bill and resolution drafting from the Division of Legislative Services.

Be it enacted by the General Assembly of Virginia:

1. That §§ 30-19.3 and 30-28.18 of the Code of Virginia are amended and reenacted as follows:

§ 30-19.3. Filing of bills and resolutions in advance of session.

(a) A. Any member or member elect of the General Assembly may file 60 days prior to the first regular session following the election of members of the House of Delegates and 180 days prior to other regular sessions with the Clerk of the House of Delegates or Senate as appropriate any bill or resolution endorsed by the handwritten signature of at least one member or member elect as a patron. *Legislative drafting requests for legislation to be prefiled shall be submitted to the Division of Legislative Services by the deadline established by the procedural resolution adopted by the General Assembly, or in default thereof, adopted by the Joint Rules Committee.*

(a1) B. In the event of the convening of a special session of the General Assembly, only bills relating to the stated purpose of such special session and resolutions affecting the rules of procedure or schedule of business of the General Assembly may be filed as provided in subsection (a) of this section beginning on the day on which either (i) the Governor announces the date on which such special session is to convene, or (ii) two-thirds of the members elected to each house of the General Assembly make application to the Governor for the convening of such special session.

(b) C. The Clerks of the House of Delegates and Senate shall assign numbers to prefiled bills and resolutions in the order of their receipt, refer them to the appropriate committee with the advice of the Speaker of the House of Delegates, in the case of House bills, and in the case of Senate bills, in accordance with the Rules of the Senate, and have a sufficient number of them printed for circulation as provided in this section.

(e) D. Printed prefiled bills and resolutions shall be periodically mailed to each member and member elect of the General Assembly and shall be made available to the press and public in the same manner as bills and resolutions introduced after the General Assembly convenes.

§ 30-28.18. Requests for drafting bills or resolutions; bills to conform to request; public access.

A. All requests for the drafting of bills or resolutions by the Division shall be submitted in writing, and shall contain a general statement respecting the policies and purposes which the requester desires incorporated in and accomplished by the bill. All requests and required statements shall be signed by the person submitting them. Neither the Director nor any employee of the Division shall reveal to any person outside of the Division the contents or nature of any request or statements except with the consent of the person signing such request; however, (i) when the Director or an employee receives a request which is substantially the same as one previously received, he may, unless specifically directed not to do so by the person first submitting such request, so inform the person submitting the similar request and (ii) unless specifically directed otherwise, the Director or employee may reveal the nature of a request when seeking information from anyone to assist in drafting the bill. Bills drafted by the Division shall conform to the statements submitted with the request or the supplementary written instructions submitted by the person who originally made the request.

B. All legislative drafting requests and accompanying documents shall be maintained by the Division as permanent records. Each of these separate files shall be considered the property of the requester and no one other than members of the Division staff shall have access to any such file without the specific approval of the requester. However, on the effective date of legislation drafted for the 1989 Session or thereafter, the file for a bill which was enacted, including any amendments in the nature of a substitute or conference reports which were offered for consideration shall become public property.

C. All legislative drafting requests from the Governor, a Governor's Secretary, the Lieutenant Governor, the Attorney General, or the head of any judicial, legislative, or independent agency shall be submitted to the Division on or before January 1 of the year for which such legislation is to be considered by the General Assembly except that such requests the same deadline applicable to members of the General Assembly for submitting legislative drafting requests for legislation to be prefiled to the Division, as established by the procedural resolution adopted by the General Assembly, or in default thereof, as adopted by the Joint Rules Committee. Requests from the Governor may also be submitted in accordance with the procedures established by the Rules Committees of the House of Delegates and the Senate for the conduct of business during a legislative session.