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**HOUSE BILL NO. 740**

Offered January 11, 2006

Prefiled January 10, 2006

*A BILL to amend and reenact § 30-149 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 30-149.1, relating to the authority of the Virginia Code Commission to renumber the Code of Virginia and the effect of such a renumbering.*

Patrons—Landes and Hurt; Senators: Edwards and Mims

Referred to Committee on Rules

**Be it enacted by the General Assembly of Virginia:**

**1. That § 30-149 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 30-149.1, as follows:**

§ 30-149. Authority to make changes to the Code of Virginia.

A. The Commission may correct unmistakable printer's errors, misspellings and other unmistakable errors in the statutes as incorporated into the Code of Virginia, and may make consequential changes in the titles of officers and agencies, and other purely consequential changes made necessary by the use in the statutes of titles, terminology and references, or other language no longer appropriate.

B. The Commission may renumber, rename, and rearrange any Code of Virginia titles, chapters, articles, and sections in the statutes adopted, and make corresponding changes in lists of chapter, article, and section headings, catchlines, and tables, when, in the judgment of the Commission, it is necessary because of any disturbance or interruption of orderly or consecutive arrangement.

C. The Commission may correct unmistakable errors in cross-references to Code of Virginia sections and may change cross-references to Code of Virginia sections which have become outdated or incorrect due to subsequent amendment to, revision, or repeal of the sections to which reference is made.

D. The Commission may omit from the statutes incorporated into the Code of Virginia provisions which, in the judgment of the Commission, are inappropriate in a code, such as emergency clauses, clauses providing for specific nonrecurring appropriations and general repealing clauses.

E. The Commission may publish a Code of Virginia that utilizes an amended system of numbering the sections, articles, chapters, and titles of the Code of Virginia, and that rearranges, renames, and renumbers all of the titles, chapters, articles, and sections when, in the judgment of the Commission, the numbering system has become convoluted and archaic.

F. Any reference to or use of a number or name of a title, chapter, article, or section of the Code of Virginia that has been corrected or changed by action of the Commission pursuant to this section shall have the same legal effect as a reference to or use of the renumbered or renamed title, chapter, article or section.

§ 30-149.1. Effect of publication of a renumbered, renamed, and rearranged Code of Virginia.

A. As used in this section:

"New Code" means the Code of Virginia as published in a form that utilizes the rearranged, renamed, and renumbered titles, chapters, articles, and sections, and an amended system of numbering sections, authorized by the Commission pursuant to subsection E of § 30-149.

"Previous Code" means the Code of Virginia as published in the form authorized by the Commission prior to the publication of the new Code.

B. Whenever any of the conditions, requirements, provisions, or contents of any section, article, chapter, or title of the previous Code are transferred in the same or in modified form to a new section, article, chapter, or title of the new Code, and whenever any such section, article, chapter, or title of the previous Code is given a new number in the new Code, all references to any such section, article, chapter, or title of the previous Code shall be construed to apply to the new or renumbered section, article, chapter, or title of the new Code containing such conditions, requirements, provisions, or contents or portions thereof.

C. Following the publication of the new Code:

1. Any reference to or use of a number or name of a title, chapter, article, or section of the new Code shall have the same legal effect as a reference to or use of the number or name of the corresponding title, chapter, article, or section of the previous Code; and

2. Any reference to or use of a number or name of a title, chapter, article, or section of the previous Code shall have the same legal effect as a reference to or use of the number or name of the corresponding title, chapter, article, or section of the new Code.

D. Any notice given, recognizance taken, or process or writ issued prior to the date of publication of

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59 *the new Code shall be valid although given, taken, or to be returned on a day after such date of*  
60 *publication, in like manner as if the new Code had been effective before the same was given, taken, or*  
61 *issued.*

62 *E. Any state or local regulation, ordinance, or other legal action adopted pursuant to an*  
63 *authorization stated in the previous Code and referring to any section, article, chapter, or title of the*  
64 *previous Code shall continue in effect, shall not be affected by the publication of the new Code, and*  
65 *shall be deemed to have been adopted under the section, article, chapter, or title of the new Code that*  
66 *contains the conditions, requirements, provisions, or contents or portions of the previous Code under*  
67 *which the state or local regulation, ordinance, or other legal action was adopted.*

68 *F. Any form adopted by a state or local governmental agency or other entity pursuant to an*  
69 *authorization stated in the previous Code and referring to any section, article, chapter, or title of the*  
70 *previous Code shall continue in effect, shall not be affected by the publication of the new Code, and*  
71 *shall be deemed to have been adopted under the section, article, chapter, or title of the new Code that*  
72 *contain the conditions, requirements, provisions, or contents or portions of the previous Code under*  
73 *which the form was adopted.*

74 *G. Any reference in any warrant, indictment, presentment, information, capias, complaint, or*  
75 *subpoena to any section, article, chapter, or title of the previous Code shall continue to be valid, shall*  
76 *not be affected by the publication of the new Code, and shall be deemed to refer to the successor*  
77 *section, article, chapter, or title of the new Code.*

78 *H. If any clause, sentence, paragraph, subdivision of a section, section, article, chapter, or title*  
79 *published as part of the previous Code and in effect on the date of publication of the new Code is not*  
80 *published as part of the new Code, such omission shall not affect the validity of such provision of the*  
81 *previous Code, and such provision shall continue in full force and effect as uncodified law following the*  
82 *publication of the new Code.*

83 **2. That the provisions of this act shall become effective on July 1, 2007.**