

## 2007 SESSION

INTRODUCED

073203108

### HOUSE BILL NO. 2725

Offered January 10, 2007

Prefiled January 10, 2007

*A BILL to amend and reenact § 40.1-2.1 of the Code of Virginia, relating to occupational safety and health program for public employees.*

\_\_\_\_\_  
Patron—McClellan

\_\_\_\_\_  
Referred to Committee on Commerce and Labor

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

#### **1. That § 40.1-2.1 of the Code of Virginia is amended and reenacted as follows:**

§ 40.1-2.1. Application of title to Commonwealth and its agencies, etc.; safety and health program for public employees.

The provisions of this title and any rules and regulations promulgated pursuant thereto shall not apply to the Commonwealth or any of its agencies, institutions, or political subdivisions, or any public body, unless, and to the extent that, coverage is extended by specific regulation of the Commissioner or the Safety and Health Codes Board. The Commissioner is authorized to establish and maintain an effective and comprehensive occupational safety and health program applicable to employees of the Commonwealth, its agencies, institutions, political subdivisions, or any public body. Such program shall be subject to any State plan submitted to the federal government for State enforcement of the Federal Occupational Safety and Health Act of 1970 (P.L. 91-596), or any other regulation promulgated under Title 40.1. The Commissioner *or the Board* shall establish *regulations and* procedures for enforcing the program, which shall include provisions for *the issuance of proposed penalties; payments of a penalty or a negotiated sum in lieu of such penalty, which payments shall be paid into the general fund of the state treasury*; fair hearings including judicial review; and sanctions to be applied for violations.

INTRODUCED

HB2725