

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to require the review of the feasibility of electronic submission of regulations during the*
3 *promulgation process.*

4 [H 1969]

5 Approved

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

7 **1.** § 1. *That on or after January 1, 2010, each agency having regulations promulgated in accordance*
8 *with the Administrative Process Act (§ 2.2-4000 et seq.) of the Code of Virginia that require the*
9 *submission of documents or payments, including fees and fines, shall (i) examine such regulations to*
10 *determine whether the submission of the required documents or payments may be accomplished by*
11 *electronic means, and (ii) if so, consider amending the regulation that is being promulgated to offer the*
12 *alternative of submitting the documents or payments by electronic means. If an agency chooses to*
13 *amend the regulation to provide the alternative of submitting required documents or payments by*
14 *electronic means, such action shall be exempt from the operation of Article 2 (§ 2.2-4006 et seq.) of*
15 *Chapter 40 of Title 2.2 of the Code of Virginia provided the amended regulation is (a) adopted by*
16 *December 31, 2010, and (b) consistent with federal and state law and regulations.*

17 § 2. *Nothing in this act shall be construed to create an independent or private cause of action to*
18 *enforce its provisions.*

19 § 3. *Unless otherwise exempt, any amendment to an agency's regulations made pursuant to this act*
20 *after December 31, 2010, shall be subject to the requirements of the Administrative Process Act*
21 *(§ 2.2-4000 et seq.) of the Code of Virginia.*

22 § 4. *For the purposes of this act,*
23 *"Agency" and "regulations" mean that same as those terms are defined in § 2.2-4001 of the Code of*
24 *Virginia.*

25 *"Electronic" means the same as that term is defined in § 59.1-480 of the Code of Virginia.*

ENROLLED

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