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**HOUSE BILL NO. 1305**

House Amendments in [ ] - February 15, 2010

A *BILL to amend and reenact § 2.2-5403 of the Code of Virginia, relating to the Community Action Act; membership of community action boards.*

Patron Prior to Engrossment—Delegate Ware, O.

Referred to Committee on General Laws

**Be it enacted by the General Assembly of Virginia:****1. That § 2.2-5403 of the Code of Virginia is amended and reenacted as follows:**

§ 2.2-5403. Community action boards.

A. Each community action agency shall administer its community action program through a community action board consisting of no less than fifteen members who shall be selected as follows:

1. One-third of the members of the board shall be elected public officials or their designees, who shall be selected by the local governing body of the service area, except that if the number of elected officials reasonably available and willing to serve is less than one-third of the membership of the board, membership on the board of appointed public officials may be counted in meeting the one-third requirement.

2. At least one-third of the members shall be persons chosen democratically to represent the poor of the area served.

3. The other members shall be members of business, industry, labor, religious, social service, education or other major community groups.

B. Each member of the board selected to represent a specific geographic area within a community shall reside in the area represented.

C. ~~[ No person selected to serve on the board pursuant to subdivisions A. 2. and A. 3. shall serve for more than five consecutive years or more than a total of ten years. Except as specifically provided herein, nothing in this subsection shall be construed to authorize a community action agency to limit the number of terms or the number of years that a duly selected member of a board may serve.~~

~~D. ]~~ Except as otherwise provided in subsection [ ~~E D~~ ], the board shall be responsible for the following:

1. Appointing and dismissing an executive director of the community action agency.

2. Approving grants and contracts, annual program budget requests and operational policies of the community action agency.

3. Having an annual audit performed by an independent auditor.

4. Convening public meetings to provide low-income and other persons the opportunity to comment upon public policies and programs to reduce poverty.

5. Annually evaluating the policies and programs of the community action agency. The board shall submit the evaluation and recommendations to improve the administration of the community action agency to the designated agency and to the local governing body or bodies within the service area.

6. Carrying out such other duties as may be delegated by the local governing body or bodies within the service area or by the designated agency.

7. Delegating responsibilities pursuant to the provisions of § 2.2-5404.

[ ~~E. D.~~ ] Where a local subdivision of the Commonwealth acts as or has designated a community action agency, the local governing body shall determine the responsibilities and authority of the community action board.

ENGROSSED

HB1305E