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**HOUSE BILL NO. 2337****AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the House Committee on General Laws  
on February 4, 2011)

(Patron Prior to Substitute—Delegate Garrett)

*A BILL to amend and reenact §§ 1-206 and 28.2-521 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 2.2-401.1, 2.2-601.1, 3.2-101.1, 4.1-101.1, 6.2-101.1, 9.1-101.1, 9.1-1100.1, 10.1-500.1, 10.1-603.2:01, 10.1-603.16:1, 10.1-1100.1, 10.1-1182.1, 10.1-1300.1, 10.1-1400.1, 23-276.1:1, 24.2-101.01, 32.1-3.1, 33.1-13.03, 35.1-1.1, and 36-85.16:1, by adding in Chapter 1 of Title 37.2 a section numbered 37.2-101, by adding in Article 1 of Chapter 1 of Title 38.2 a section numbered 38.2-100.1, and by adding sections numbered 40.1-2.01, 45.1-161.1:1, 46.2-100.1, 53.1-1.01, 54.1-101.1, 58.1-105.1, 59.1-313.1, 62.1-44.3:1, 62.1-255.1, 63.2-100.1, 65.2-101.1, and 66-10.01, relating to use by state agencies of certified mail for certain notices.*

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

**1. That §§ 1-206 and 28.2-521 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 2.2-401.1, 2.2-601.1, 3.2-101.1, 4.1-101.1, 6.2-101.1, 9.1-101.1, 9.1-1100.1, 10.1-500.1, 10.1-603.2:01, 10.1-603.16:1, 10.1-1100.1, 10.1-1182.1, 10.1-1300.1, 10.1-1400.1, 23-276.1:1, 24.2-101.01, 32.1-3.1, 33.1-13.03, 35.1-1.1, and 36-85.16:1, by adding in Chapter 1 of Title 37.2 a section numbered 37.2-101, by adding in Article 1 of Chapter 1 of Title 38.2 a section numbered 38.2-100.1, and by adding sections numbered 40.1-2.01, 45.1-161.1:1, 46.2-100.1, 53.1-1.01, 54.1-101.1, 58.1-105.1, 59.1-313.1, 62.1-44.3:1, 62.1-255.1, 63.2-100.1, 65.2-101.1, and 66-10.01 as follows:**

**§ 1-206.** Certified mail equivalent to registered mail; certain subsequent mail or notice may be sent by regular mail.

**A.** If any mail or notice is required to be sent by registered mail, it shall constitute compliance with this requirement if such mail or notice is sent by certified mail.

**B.** Notwithstanding any provision of law to the contrary, whenever a state agency is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by such state agency may be sent by regular mail.

**C.** As used in this section, "state agency" means the same as that term is defined in § 2.2-4347.

**§ 2.2-401.1.** Certified mail; subsequent mail or notices may be sent by regular mail.

Whenever in the Code of Virginia the Secretary is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by the Secretary may be sent by regular mail.

**§ 2.2-601.1.** Certified mail; subsequent, identical mail or notices may be sent by regular mail.

Whenever in this title a state agency is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by such agency may be sent by regular mail.

As used in this section, "state agency" means the same as that term is defined in § 2.2-4347.

**§ 3.2-101.1.** Certified mail; subsequent mail or notices may be sent by regular mail.

Whenever in this title the Board, the Commissioner, or the Department is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by the Board, the Commissioner, or the Department may be sent by regular mail.

**§ 4.1-101.1.** Certified mail; subsequent mail or notices may be sent by regular mail.

Whenever in this title the Board is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by the Board may be sent by regular mail.

**§ 6.2-101.1.** Certified mail; subsequent mail or notices may be sent by regular mail.

Whenever in this title the Commission is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by the Commission may be sent by regular mail.

**§ 9.1-101.1.** Certified mail; subsequent mail or notices may be sent by regular mail.

Whenever in this chapter the Board or the Department is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by the Board or the Department may be sent by regular mail.

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60 § 9.1-1100.1. *Certified mail; subsequent mail or notices may be sent by regular mail.*

61 *Whenever in this chapter the Board or the Department is required to send any mail or notice by*  
62 *certified mail and such mail or notice is sent certified mail, return receipt requested, then any*  
63 *subsequent, identical mail or notice that is sent by the Board or the Department may be sent by regular*  
64 *mail.*

65 § 10.1-500.1. *Certified mail; subsequent mail or notices may be sent by regular mail.*

66 *Whenever in this chapter the Board or the Director is required to send any mail or notice by*  
67 *certified mail and such mail or notice is sent certified mail, return receipt requested, then any*  
68 *subsequent, identical mail or notice that is sent by the Board or the Director may be sent by regular*  
69 *mail.*

70 § 10.1-603.2:01. *Certified mail; subsequent mail or notices may be sent by regular mail.*

71 *Whenever in this article the Board is required to send any mail or notice by certified mail and such*  
72 *mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or*  
73 *notice that is sent by the Board may be sent by regular mail.*

74 § 10.1-603.16:1. *Certified mail; subsequent mail or notices may be sent by regular mail.*

75 *Whenever in this article the Board is required to send any mail or notice by certified mail and such*  
76 *mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or*  
77 *notice that is sent by the Board may be sent by regular mail.*

78 § 10.1-1100.1. *Certified mail; subsequent mail or notices may be sent by regular mail.*

79 *Whenever in this chapter the State Forester or the Department is required to send any mail or notice*  
80 *by certified mail and such mail or notice is sent certified mail, return receipt requested, then any*  
81 *subsequent, identical mail or notice that is sent by the State Forester or the Department may be sent by*  
82 *regular mail.*

83 § 10.1-1182.1. *Certified mail; subsequent mail or notices may be sent by regular mail.*

84 *Whenever in this chapter the Department is required to send any mail or notice by certified mail and*  
85 *such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail*  
86 *or notice that is sent by the Department may be sent by regular mail.*

87 § 10.1-1300.1. *Certified mail; subsequent mail or notices may be sent by regular mail.*

88 *Whenever in this chapter the Board, the Department, or the Director is required to send any mail or*  
89 *notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any*  
90 *subsequent, identical mail or notice that is sent by the Board, the Department, or the Director may be*  
91 *sent by regular mail.*

92 § 10.1-1400.1. *Certified mail; subsequent mail or notices may be sent by regular mail.*

93 *Whenever in this chapter the Board, the Department, or the Director is required to send any mail or*  
94 *notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any*  
95 *subsequent, identical mail or notice that is sent by the Board, the Department, or the Director may be*  
96 *sent by regular mail.*

97 § 23-276.1:1. *Certified mail; subsequent mail or notices may be sent by regular mail.*

98 *Whenever in this chapter the Council is required to send any mail or notice by certified mail and*  
99 *such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail*  
100 *or notice that is sent by the Council may be sent by regular mail.*

101 § 24.2-101.01. *Certified mail; subsequent mail or notices may be sent by regular mail.*

102 *Whenever in this title the State Board is required to send any mail or notice by certified mail and*  
103 *such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail*  
104 *or notice that is sent by the State Board may be sent by regular mail.*

105 § 28.2-521. *Revocation of license or permit to dredge.*

106 *The Commission, on testimony of an officer at a hearing that he has personally observed a person*  
107 *having dredging cable or dredging equipment overboard or in any way engaged in dredging in any area*  
108 *other than where a person holds a lawful permit or license to dredge, may revoke all permits and*  
109 *licenses held by the person to dredge on public or private grounds and may refuse to issue any licenses*  
110 *or permits for such purposes for a period of one year. Before the Commission holds a hearing pursuant*  
111 *to this section, it shall provide at least five days' written notice to the permittee or licensee. Notice shall*  
112 *be served either by a Commission officer or by certified mail addressed to the permit or license holder*  
113 *at the address given on the permit or license. Any subsequent, identical notice that is sent by the*  
114 *Commission may be sent by regular mail.*

115 § 32.1-3.1. *Certified mail; subsequent mail or notices may be sent by regular mail.*

116 *Whenever in this title the Board, the Commissioner, or the Department is required to send any mail*  
117 *or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then*  
118 *any subsequent, identical mail or notice that is sent by the Board, the Commissioner, or the Department*  
119 *may be sent by regular mail.*

120 § 33.1-13.03. *Certified mail; subsequent mail or notices may be sent by regular mail.*

121 *Whenever in this title the Board, the Commissioner, or the Department is required to send any mail*

or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by the Board, the Commissioner, or the Department may be sent by regular mail.

§ 35.1-1.1. Certified mail; subsequent mail or notices may be sent by regular mail.

Whenever in this title the Board, the Commissioner, or the Department is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by the Board, the Commissioner, or the Department may be sent by regular mail.

§ 36-85.16:1. Certified mail; subsequent mail or notices may be sent by regular mail.

Whenever in this chapter the Board, the Director, or the Department is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by the Board, the Director, or the Department may be sent by regular mail.

§ 37.2-101. Certified mail; subsequent mail or notices may be sent by regular mail.

Whenever in this title the Board, the Commissioner, or the Department is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by the Board, the Commissioner, or the Department may be sent by regular mail.

§ 38.2-100.1. Certified mail; subsequent mail or notices may be sent by regular mail.

Whenever in this title the Commissioner or the Commission is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by the Commissioner or the Commission may be sent by regular mail.

§ 40.1-2.01. Certified mail; subsequent mail or notices may be sent by regular mail.

Whenever in this title the Board, the Commissioner, or the Department is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by the Board, the Commissioner, or the Department may be sent by regular mail.

§ 45.1-161.1:1. Certified mail; subsequent mail or notices may be sent by regular mail.

Whenever in this title the Chief, the Director, or the Department is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by the Chief, the Director, or the Department may be sent by regular mail.

§ 46.2-100.1. Certified mail; subsequent mail or notices may be sent by regular mail.

Whenever in this title the Commissioner or the Department is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by the Commissioner or the Department may be sent by regular mail.

§ 53.1-1.01. Certified mail; subsequent mail or notices may be sent by regular mail.

Whenever in this title the Board or the Department is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by the Board or the Department may be sent by regular mail.

§ 54.1-101.1. Certified mail; subsequent mail or notices may be sent by regular mail.

Whenever in this title any regulatory board within the Department of Professional and Occupational Regulation or the Department of Health Professions is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by any such regulatory board may be sent by regular mail.

§ 58.1-105.1. Certified mail; subsequent mail or notices may be sent by regular mail.

Whenever in this title the Commissioner or the Department is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by the Commissioner or the Department may be sent by regular mail.

§ 59.1-313.1. Certified mail; subsequent mail or notices may be sent by regular mail.

Whenever in this chapter the Board, the Commissioner, or the Department is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by the Board, the Commissioner, or the Department may be sent by regular mail.

§ 62.1-44.3:1. Certified mail; subsequent mail or notices may be sent by regular mail.

Whenever in this chapter the Board or the Department is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any

183 *subsequent, identical mail or notice that is sent by the Board or the Department may be sent by regular*  
184 *mail.*

185 *§ 62.1-255.1. Certified mail; subsequent mail or notices may be sent by regular mail.*

186 *Whenever in this chapter the Board or the Department is required to send any mail or notice by*  
187 *certified mail and such mail or notice is sent certified mail, return receipt requested, then any*  
188 *subsequent, identical mail or notice that is sent by the Board or the Department may be sent by regular*  
189 *mail.*

190 *§ 63.2-100.1. Certified mail; subsequent mail or notices may be sent by regular mail.*

191 *Whenever in this title the Board or the Department is required to send any mail or notice by*  
192 *certified mail and such mail or notice is sent certified mail, return receipt requested, then any*  
193 *subsequent, identical mail or notice that is sent by the Board or the Department may be sent by regular*  
194 *mail.*

195 *§ 65.2-101.1. Certified mail; subsequent mail or notices may be sent by regular mail.*

196 *Whenever in this title the Commission is required to send any mail or notice by certified mail and*  
197 *such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail*  
198 *or notice that is sent by the Commission may be sent by regular mail.*

199 *§ 66-10.01. Certified mail; subsequent mail or notices may be sent by regular mail.*

200 *Whenever in this title the Board or the Department is required to send any mail or notice by*  
201 *certified mail and such mail or notice is sent certified mail, return receipt requested, then any*  
202 *subsequent, identical mail or notice that is sent by the Board or the Department may be sent by regular*  
203 *mail.*

204 **2. That whenever in the Code of Virginia a state agency is required to send any mail or notice by**  
205 **certified mail and such mail or notice is sent certified mail, return receipt requested, then any**  
206 **subsequent, identical mail or notice that is sent by such state agency may be sent by regular mail.**  
207 **"State agency" means the same as that term is defined in § 2.2-4347 of the Code of Virginia.**