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**HOUSE BILL NO. 912**

Offered January 11, 2012

Prefiled January 11, 2012

A *BILL to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 50, consisting of sections numbered 59.1-550, 59.1-551, and 59.1-552, declaring that certain and services are not subject to the authority of the Congress of the United States under its constitutional power to regulate commerce.*

Patron—Minchew

Referred to Committee on Commerce and Labor

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

**1. That the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 50, consisting of sections numbered 59.1-550, 59.1-551, and 59.1-552, as follows:**

**CHAPTER 50.****VIRGINIA INTRASTATE COMMERCE ACT.**

§ 59.1-550. *Short title.*

*This chapter shall be known and may be cited as the "Virginia Intrastate Commerce Act."*

§ 59.1-551. *Declarations.*

*The General Assembly declares that:*

*1. The Tenth Amendment to the United States Constitution codifies in law that the only powers that the federal government may exercise are those that have been delegated to it in the United States Constitution;*

*2. The Ninth Amendment to the United States Constitution guarantees to the people rights not enumerated in the Constitution and reserves to the people of the Commonwealth of Virginia those rights;*

*3. Under Article I, Section 8, Clause 3 of the United States Constitution, the federal government is empowered to regulate commerce among the several states;*

*4. The power to regulate intrastate commerce is reserved to the states or the people under the Ninth and Tenth Amendments to the United States Constitution; and*

*5. During the Constitutional Convention, the founders considered a plan that would have authorized the federal government to regulate not only commerce among the several states, but also any activity having spillover effects across state lines, but rejected it.*

§ 59.1-552. *Certain Virginia goods and services not subject to authority of Congress.*

*A. All goods grown, manufactured, or made in the Commonwealth of Virginia and all services performed in the Commonwealth of Virginia, when such goods or services are sold, maintained, or retained in the Commonwealth of Virginia, shall not be subject to the authority of the Congress of the United States under its constitutional power to regulate commerce among the several states.*

*B. The provisions of this chapter shall apply to goods and services that are produced and retained in the Commonwealth of Virginia on or after July 1, 2012.*

INTRODUCED

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