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SENATE BILL NO. 55

Offered January 8, 2014

Prefiled December 17, 2013

A BILL to amend and reenact §§ 23-70, 23-71, and 23-72 of the Code of Virginia, relating to the University of Virginia; board of visitors.

Patron—Edwards

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That §§ 23-70, 23-71, and 23-72 of the Code of Virginia are amended and reenacted as follows:

§ 23-70. Appointment and election of visitors; number and terms of office; vacancies; confirmation.

A. The board of visitors is to consist of 17 visitors, *13 of whom shall be* appointed by the Governor *and four* of whom *shall be alumni of the University of Virginia directly elected by the alumni of the University of Virginia. Of the 13 appointed visitors*, (i) at least ~~12~~ *nine* shall be appointed from the Commonwealth at large, (ii) at least ~~12~~ *eight* shall be alumni of the University of Virginia, and (iii) at least one shall be a physician with administrative and clinical experience in an academic medical center.

B. All ~~appointments on or after July 1, 2008,~~ *visitors* shall ~~be~~ *serve* for terms of four years ~~and~~ *that* commence July 1 of the first year of appointment *or election*, except that appointments *or elections* to fill vacancies shall be made for the unexpired terms. Members shall complete their service on June 30 of the year in which their respective terms expire~~, including appointments made prior to July 1, 2008~~. *Vacancies shall be filled in the same manner as the original appointed or elected visitor.* All appointments *by the Governor* for full terms, as well as to fill vacancies, shall be ~~made by the Governor~~ subject to confirmation by the Senate and the House of Delegates.

§ 23-71. Appointment of visitors from nominees of alumni association; election of visitors by alumni; vacancies.

A. The Governor may appoint visitors from a list of qualified persons submitted to him, before or after induction into office, by the alumni association of the University of Virginia, on or before the first day of April of any year in which the terms of any visitors will expire.

B. Whenever a vacancy *of an appointed visitor* occurs ~~otherwise~~ *other* than by expiration of term, the Governor shall certify this fact to the association and nominations may be submitted of qualified persons and the Governor may fill the vacancy, if his discretion so dictates, from among the eligible nominees of the association, whether or not alumni ~~or alumnae~~. ~~C.~~ Every list shall contain at least three names for each vacancy to be filled. ~~D.~~ The Governor is not ~~to be~~ limited in his appointments to the persons so nominated.

C. Whenever a vacancy of an elected visitor occurs by expiration of term or otherwise, the alumni of the University of Virginia shall fill the vacancy by direct election.

~~E.~~ *D.* At no time shall less than 12 of the visitors be alumni ~~or alumnae~~ of the University.

§ 23-72. Eligibility to serve more than two successive terms.

No person shall be eligible to serve for or during more than two successive four-year terms~~; but~~, *except that* after the expiration of a term of two years or less~~,~~ or after the expiration of the remainder of a term to which appointed *or elected* to fill a vacancy, two additional four-year terms may be served by such a member if appointed *or elected* thereto.

2. That beginning July 1, 2014, and each July 1 for the next three years, one vacancy of an appointed visitor of the Board of Visitors of the University of Virginia shall be filled by direct election of the alumni of the University of Virginia until there are four elected visitors.

3. That the Rector and Board of Visitors of the University of Virginia, in coordination with the State Council of Higher Education for Virginia, shall develop a procedure for the nomination and election of visitors by the alumni of the University of Virginia.