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SENATE BILL NO. 337

Offered January 10, 2018

Prefiled January 8, 2018

A BILL to amend and reenact § 2.2-2101 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 25 of Title 2.2 an article numbered 10, consisting of sections numbered 2.2-2537 through 2.2-2543, relating to the Commission on Autism.

Patron—Stuart

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-2101 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 25 of Title 2.2 an article numbered 10, consisting of sections numbered 2.2-2537 through 2.2-2543, as follows:

§ 2.2-2101. Prohibition against service by legislators on boards, commissions, and councils within the executive branch; exceptions.

Members of the General Assembly shall be ineligible to serve on boards, commissions, and councils within the executive branch of state government who are responsible for administering programs established by the General Assembly. Such prohibition shall not extend to boards, commissions, and councils engaged solely in policy studies or commemorative activities. If any law directs the appointment of any member of the General Assembly to a board, commission, or council in the executive branch of state government that is responsible for administering programs established by the General Assembly, such portion of such law shall be void, and the Governor shall appoint another person from the Commonwealth at large to fill such a position.

The provisions of this section shall not apply to members of the Board for Branch Pilots, who shall be appointed as provided for in § 54.1-901; to members of the Board of Trustees of the Southwest Virginia Higher Education Center, who shall be appointed as provided for in § 23.1-3126; to members of the Board of Trustees of the Southern Virginia Higher Education Center, who shall be appointed as provided for in § 23.1-3121; to members of the Board of Directors of the New College Institute, who shall be appointed as provided for in § 23.1-3112; to members of the Advisory Board on Teacher Education and Licensure, who shall be appointed as provided for in § 22.1-305.2; to members of the Virginia Interagency Coordinating Council, who shall be appointed as provided for in § 2.2-5204; to members of the Board of Veterans Services, who shall be appointed as provided for in § 2.2-2452; to members appointed to the Board of Trustees of the Roanoke Higher Education Authority pursuant to § 23.1-3117; to members of the Board of Trustees of the Online Virginia Network Authority, who shall be appointed as provided in § 23.1-3136; to members of the Virginia Geographic Information Network Advisory Board, who shall be appointed as provided for in § 2.2-2423; to members of the Standards of Learning Innovation Committee, who shall be appointed as provided for in § 22.1-253.13:10; to members of the Board of Visitors of the Virginia School for the Deaf and the Blind, who shall be appointed as provided for in § 22.1-346.2; to members of the Substance Abuse Services Council, who shall be appointed as provided for in § 2.2-2696; to members of the Criminal Justice Services Board, who shall be appointed as provided in § 9.1-108; to members of the State Executive Council for Children's Services, who shall be appointed as provided in § 2.2-2648; to members of the Virginia Board of Workforce Development, who shall be appointed as provided for in § 2.2-2471; to members of the Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund Board, who shall be appointed as provided for in § 51.1-1201; to members of the Secure and Resilient Commonwealth Panel, who shall be appointed as provided for in § 2.2-222.3; to members of the Forensic Science Board, who shall be appointed as provided for in § 9.1-1109; to members of the Southwest Virginia Cultural Heritage Foundation, who shall be appointed as provided in § 2.2-2735; ~~or~~ to members of the Virginia Growth and Opportunity Board, who shall be appointed as provided in § 2.2-2485; *or to members of the Commission on Autism, who shall be appointed pursuant to §2.2-2538.*

Article 10.**Commission on Autism.****§ 2.2-2537. Commission on Autism created; purpose.**

The Commission on Autism (the Commission) is established as an advisory commission in the executive branch of state government. The purpose of the Commission shall be to study and make recommendations related to services for individuals with autism spectrum disorder.

§ 2.2-2538. Membership; terms; quorum; meetings.

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59 *The Commission shall have a total membership of 20 members that shall consist of two legislative*
60 *members, sixteen nonlegislative members, and two ex officio members. Legislative members shall include*
61 *one member of the House of Delegates appointed by the Speaker of the House of Delegates and one*
62 *member of the Senate appointed by the Senate Committee on Rules. Nonlegislative members shall be*
63 *appointed by the Governor as follows: one licensed physician specializing in pediatrics practicing in the*
64 *Commonwealth with experience working with youth with autism spectrum disorder, one licensed*
65 *physician practicing in the Commonwealth with experience working with adults with autism spectrum*
66 *disorder, one licensed behavioral health analyst, one individual who provides services to individuals*
67 *with autism, one school administrator, one licensed teacher with experience working with individuals*
68 *with autism, one law-enforcement officer representing State Police, one local law-enforcement officer,*
69 *one deputy sheriff who provides security services at a courthouse in the Commonwealth, one licensed*
70 *attorney who serves as a prosecutor in the Commonwealth, one licensed attorney practices law in the*
71 *Commonwealth, one judge, one representative of insurance providers, one representative of the financial*
72 *services industry, one parent of a child with autism, and one parent of an adult with autism. The*
73 *Secretary of Health and Human Resources and the Secretary of Education, or their designees, shall*
74 *serve ex officio with nonvoting privileges. Nonlegislative citizen members of the Commission shall be*
75 *citizens of the Commonwealth.*

76 *Nonlegislative citizen members shall serve terms of two years. Legislative and ex officio members*
77 *shall serve terms coincident with their terms of office. Appointments to fill vacancies, other than by*
78 *expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as*
79 *the original appointments. All members may be reappointed.*

80 *The Commission shall elect a chairman from among its membership. A majority of the members shall*
81 *constitute a quorum. Meetings of the Commission shall be held at the call of the chairman or whenever*
82 *a majority of the members so request.*

83 **§ 2.2-2539. Compensation; expenses.**

84 *Legislative members of the Commission shall receive compensation as provided in § 30-19.12 and*
85 *nonlegislative members shall receive compensation for their services as provided in §§ 2.2-2813 and*
86 *2.2-2825. Funding for the costs of expenses of the members shall be provided by such executive branch*
87 *agencies as the Governor designates.*

88 **§ 2.2-2540. Powers and duties of the Commission.**

89 *The Commission shall have the power and duty to review and make recommendations for the*
90 *improvement of services and programs for individuals with autism spectrum disorder in the*
91 *Commonwealth, including health, behavioral health, education, and social services for individuals with*
92 *autism spectrum disorder, public safety initiatives, including initiatives to provide training to*
93 *law-enforcement officers, attorneys, and judges regarding autism spectrum disorder, and laws governing*
94 *insurance coverage for services for individuals with autism spectrum disorder.*

95 **§ 2.2-2541. Staffing.**

96 *The Department of Behavioral Health and Developmental Services and such other executive branch*
97 *agencies as the Governor may designate shall provide staff support to the Commission. All agencies of*
98 *the Commonwealth shall provide assistance to the Commissions upon request.*

99 **§ 2.2-2542. Report.**

100 *The Commission shall report its activities and recommendations to the Governor and the General*
101 *Assembly by December 1 of each year.*

102 **§ 2.2-2543. Sunset.**

103 *This article shall expire on July 1, 2022.*