

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Article 4 of Chapter 4 of Title 37.2 a section*
3 *numbered 37.2-431.1, relating to Department of Behavioral Health and Developmental Services;*
4 *certification of recovery residences.*

5 [H 2045]

6 Approved

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

8 **1. That the Code of Virginia is amended by adding in Article 4 of Chapter 4 of Title 37.2 a**
9 **section numbered 37.2-431.1 as follows:**

10 **§ 37.2-431.1. Certified recovery residences.**

11 *A. As used in this section:*

12 *"Certified recovery residence" means a recovery residence that has been certified by the Department.*

13 *"Credentialing entity" means a nonprofit organization that develops and administers professional*
14 *certification programs according to nationally recognized recovery housing standards.*

15 *"Recovery residence" means a housing facility that provides alcohol-free and illicit-drug-free housing*
16 *to individuals with substance abuse disorders and individuals with co-occurring mental illnesses and*
17 *substance abuse disorders that does not include clinical treatment services.*

18 *B. No person shall advertise, represent, or otherwise imply to the public that a recovery residence or*
19 *other housing facility is a certified recovery residence unless such recovery residence or other housing*
20 *facility has been certified by the Department in accordance with regulations adopted by the Board. Such*
21 *regulations may require accreditation by or membership in a credentialing agency as a condition of*
22 *certification.*

23 *C. The Department shall maintain a list of certified recovery residences on its website.*

24 *D. The Department may institute civil proceedings in the name of the Commonwealth to enjoin any*
25 *person from violating the provisions of this section and to recover a civil penalty of at least \$200 but*
26 *no more than \$1,000 for each violation. Such proceedings shall be brought in the general district or*
27 *circuit court for the county or city in which the violation occurred or where the defendant resides. Civil*
28 *penalties assessed under this section shall be paid into the Behavioral Health and Developmental*
29 *Services Trust Fund established in § 37.2-318.*

ENROLLED

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