

# 2020 SPECIAL SESSION I

INTRODUCED

20200590D

## HOUSE BILL NO. 5027

Offered August 18, 2020

Prefiled August 17, 2020

A *BILL to amend the Code of Virginia by adding in Article 4 of Chapter 1 of Title 32.1 a section numbered 32.1-29.1, relating to Board and Commissioner of Health; order; appeal; award.*

Patrons—Davis, Batten and Cole, M.L.

Referred to Committee on Health, Welfare and Institutions

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

1. That the Code of Virginia is amended by adding in Article 4 of Chapter 1 of Title 32.1 a section numbered 32.1-29.1 as follows:

#### § 32.1-29.1. *Appeal of an order; awards.*

*In addition to the recovery provided for in § 2.2-4030, any person who operates a business in the Commonwealth that is forced to close as a result of any order of the Board or Commissioner entered pursuant to § 32.1-13 or 32.1-20 who in any civil case brought under Article 5 (§ 2.2-4025 et seq.) of the Administrative Process Act in which such person contests such order and prevails on the merits of the case shall be entitled to recover from the Department an amount equal to (i) two times the total amount of civil penalties levied against such person as a result of such order and (ii) \$10,000 per day for each day that the business was closed as a result of such order.*

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