

2021 SESSION

HOUSE SUBSTITUTE

20107138D

HOUSE BILL NO. 11

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on General Laws
on February 4, 2020)

(Patron Prior to Substitute—Delegate Samirah)

A *BILL to amend and reenact § 2.2-520 of the Code of Virginia, relating to the Division of Human Rights; Virginia Human Rights Act; prohibited discrimination; sexual orientation and gender identity.*

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-520 of the Code of Virginia is amended and reenacted as follows:

§ 2.2-520. Division of Human Rights created; duties.

A. There is created in the Department of Law a Division of Human Rights (the Division) to assist in the prevention of and relief from alleged unlawful discriminatory practices.

B. The duties of the Division shall be to:

1. Receive, and investigate, ~~seek or refer to another agency~~ all complaints alleging unlawful discriminatory practices that are filed within the applicable statute of limitations period and allege a wrongdoing covered under the Virginia Human Rights Act (§ 2.2-3900 et seq.);

2. Seek to conciliate, ~~refer to another agency~~, hold hearings pursuant to the Virginia Administrative Process Act (§ 2.2-4000 et seq.), and make findings and recommendations upon complaints alleging unlawful discriminatory practices under the Virginia Human Rights Act (§ 2.2-3900 et seq.);

2- 3. Adopt, promulgate, amend, and rescind regulations consistent with this article pursuant to the Virginia Administrative Process Act (§ 2.2-4000 et seq.). However, the Division shall not have the authority to adopt regulations on a substantive matter when another state agency is authorized to adopt such regulations;

3- 4. Inquire into incidents that may constitute unlawful acts of discrimination or unfounded charges of unlawful discrimination under state or federal law and take such action within the Division's authority designed to prevent such acts;

4- 5. Seek through appropriate enforcement authorities, prevention of or relief from an alleged unlawful discriminatory practice;

5- 6. Appoint and compensate qualified hearing officers from the list of hearing officers maintained by the Executive Secretary of the Supreme Court of Virginia;

6- 7. Promote creation of local commissions to aid in effectuating the policies of this article and to enter into cooperative worksharing or other agreements with federal agencies or local commissions, including the deferral of complaints of discrimination to federal agencies or local commissions;

7- 8. Make studies and appoint advisory councils to effectuate the purposes and policies of the article and to make the results thereof available to the public;

8- 9. Accept public grants or private gifts, bequests, or other payments, as appropriate; and

9- 10. Furnish technical assistance upon request of persons subject to this article to further comply with the article or an order issued thereunder.

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