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HOUSE BILL NO. 1057

Offered January 12, 2022

Prefiled January 12, 2022

A *BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 64, consisting of sections numbered 30-409 through 30-415, relating to Commission on Historically Black Colleges and Universities in the Commonwealth; report.*

Patrons—Cordoza and Davis

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 30 a chapter numbered 64, consisting of sections numbered 30-409 through 30-415, as follows:

CHAPTER 64.**COMMISSION ON HISTORICALLY BLACK COLLEGES AND UNIVERSITIES IN THE COMMONWEALTH.**

§ 30-409. Commission on Historically Black Colleges and Universities in the Commonwealth; purpose.

The Commission on Historically Black Colleges and Universities in the Commonwealth (the Commission) is established in the legislative branch of state government. The purpose of the Commission is to identify and recommend legislative priorities and policies for adoption or examination by the General Assembly in order to provide ongoing support in developing and reviewing services and funding related to the five historically black colleges and universities in the Commonwealth: Hampton University, Norfolk State University, Virginia State University, Virginia Union University, and Virginia University of Lynchburg. The Commission shall submit its recommendations to the General Assembly and the Governor by October 1 of each year.

§ 30-410. Membership; terms; vacancies; chairman and vice-chairman.

The Commission shall consist of 10 members that include six legislative members, three nonlegislative citizen members, and one ex officio member. Members shall be appointed as follows: four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two members of the Senate to be appointed by the Senate Committee on Rules; two nonlegislative citizen members, one of whom shall be an enrolled student at one of the historically black colleges and universities in the Commonwealth and one shall be an employee who serves in a leadership role at one of the historically black colleges and universities in the Commonwealth, to be appointed by the Speaker of the House of Delegates upon consideration of the recommendation of the Governor, if any; one nonlegislative citizen member to be a citizen at large, to be appointed by the Senate Committee on Rules upon consideration of the recommendation of the Governor, if any; and a representative from the State Council of Higher Education for Virginia to serve ex officio with nonvoting privileges. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.

Legislative members and ex officio members of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative members and nonlegislative citizen members may be reappointed. However, no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.

The Commission shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.

§ 30-411. Quorum; meetings; voting on recommendations.

A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

No recommendation of the Commission shall be adopted if a majority of the House members or a majority of the Senate members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.

§ 30-412. Compensation; expenses.

Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from existing appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules Committee.

§ 30-413. Powers and duties of the Commission.

The Commission shall have the following powers and duties:

1. Serve as the primary forum in the Commonwealth where the needs of and issues affecting historically black colleges and universities in the Commonwealth are identified and addressed through the collaboration of members of the legislative and executive branches of state government, including the staff of legislative and executive branch agencies, and citizens of the Commonwealth;

2. Develop, evaluate, and advance budget proposals and legislative and policy recommendations that forward the interests of historically black colleges and universities in the Commonwealth and address historic inequities in funding;

3. Serve as the primary body for coordinating proposals and recommendations of all commissions and agencies for legislation or budget actions for historically black colleges and universities in the Commonwealth, including receiving, reviewing, and responding to proposals and recommendations;

4. Develop and evaluate recommendations for education policy improvements and funding at historically black colleges and universities in the Commonwealth; and

5. Convene work groups composed of persons with expertise in the matters under consideration by the Commission to assist the Commission in making its policy and funding findings and recommendations.

§ 30-414. Staffing.

The Commission may appoint and employ and, at its pleasure, remove an executive director and such other persons as it deems necessary to assist it in carrying out its duties as set forth in this chapter. The Commission may determine the duties of such staff and fix their salaries or compensation within the amounts appropriated thereof. If funds are not appropriated for staffing, the Joint Rules Committee shall determine the staffing support for the Commission. All agencies of the Commonwealth shall provide assistance to the Commission, upon request.

§ 30-415. Chairman's executive summary of activity and work of the Commission.

The chairman shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

2. That, for its first year of existence, if the Commission on Historically Black Colleges and Universities in the Commonwealth (the Commission) is not funded by a separate appropriation in the appropriation act, the Commission may be funded from the operating budgets of the Clerk of the House of Delegates and the Clerk of the Senate upon the approval of the Joint Rules Committee. If the Commission is not funded by a separate appropriation in the appropriation act for any year thereafter, this chapter shall expire on July 1 of the fiscal year in which the Commission fails to receive such funding.