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**HOUSE BILL NO. 1349**

Offered January 24, 2000

*A BILL to amend and reenact §§ 2.1-51.15, 2.1-51.27 and 51.5-36 of the Code of Virginia, relating to persons with mental retardation, developmental disabilities or mental illness.*

Patrons—Drake, Albo, Baskerville, Black, Blevins, Broman, Byron, Callahan, Christian, Davis, Devolites, Dudley, Ingram, Katzen, Kilgore, Landes, Larrabee, Louderback, McDonnell, McQuigg, O'Brien, Purkey, Reid, Rollison, Van Landingham, Wardrup and Weatherholtz

Referred to Committee on Health, Welfare and Institutions

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

**1. That §§ 2.1-51.15, 2.1-51.27 and 51.5-36 of the Code of Virginia are amended and reenacted as follows:**

§ 2.1-51.15. Agencies for which responsible.

The Secretary of Health and Human Resources shall be responsible to the Governor for the following agencies: Department of Health, Department for the Visually Handicapped, Department of Health Professions, Department for the Aging, Department of Mental Health, Mental Retardation and Substance Abuse Services, Department of Rehabilitative Services, Department of Social Services, ~~Department for Rights of Virginians With Disabilities~~, Department of Medical Assistance Services, the Council on Indians, Governor's Employment and Training Department, Child Day-Care Council, Virginia Department for the Deaf and Hard-of-Hearing, and the Virginia Council on Coordinating Prevention. The Governor may, by executive order, assign any other state executive agency to the Secretary of Health and Human Resources, or reassign any agency listed above to another secretary.

§ 2.1-51.27. Agencies for which responsible.

The Secretary of Administration shall be responsible to the Governor for the following agencies and boards: Department of Personnel and Training, Department of General Services, *Department for Rights of Virginians with Disabilities*, Compensation Board, Secretary of the Commonwealth, Department of Employee Relations Counselors, Department of Veterans' Affairs, Virginia Veterans Care Center Board of Trustees, Commission on Local Government, Charitable Gaming Commission, and Virginia Public Broadcasting Board. The Governor may, by executive order, assign any other state executive agency to the Secretary of Administration, or reassign any agency listed above to another secretary.

§ 51.5-36. Department created.

There shall be in the executive branch of state government the Department for Rights of Virginians with Disabilities. The Department shall be assigned to the Secretary of ~~Health and Human Resources Administration~~ and shall be independent of all other agencies reporting to the Secretary. The Department shall be headed by a Director who shall be appointed by the Governor, subject to confirmation by the General Assembly. The Director shall be a person qualified by knowledge, skills, and abilities to administer and direct the provision of advice and other services regarding the rights of persons with disabilities. The Director shall employ such qualified staff, including legal counsel, as shall be necessary for carrying out the purposes of this chapter.

INTRODUCED

HB1349