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SENATE JOINT RESOLUTION NO. 74

Offered January 11, 2006

Prefiled January 10, 2006

*Directing the Virginia Code Commission to make recommendations for setting forth enactment clauses.
Report.*

Patron—Chichester

Referred to Committee on Rules

WHEREAS, legislation enacted by the General Assembly often contains numerous enactment clauses that have the force of law; and

WHEREAS, the enactment clauses often contain information of enduring importance relating to the implementation and application of an act, including but not limited to information about effective dates, sunset provisions, reporting requirements, directives to promulgate regulations, and budgetary limitations; and

WHEREAS, enactment clauses are printed with an act in the Virginia Acts of Assembly, but are often not included in the Code of Virginia; and

WHEREAS, the Code of Virginia is the document most readily accessible to and easily used by members of the public and the legal community; and

WHEREAS, the notes in the Code of Virginia sometimes make references to relevant enactment clauses, but this practice is not consistent throughout the Code; and

WHEREAS, the Virginia Code Commission is charged with maintaining a Code of the general and permanent statutes of the Commonwealth; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Virginia Code Commission be directed to make recommendations for setting forth enactment clauses. Such a recommendation may involve setting out the enactment clauses in the Code of Virginia, or in another comprehensive form that is readily accessible to the public and legal community.

In developing its recommendations, the Code Commission shall consider the types of enactment clauses frequently used in legislation. The Code Commission shall consider the ease of use of the Code of Virginia and the need for the public to consistently be able to find the various enactment clauses that may affect a statute's application or implementation. The Code Commission may also consider the practicality and feasibility of including specific notations to the specific Acts of Assembly chapters and pertinent Code sections, in lieu of setting forth the entire enactment clauses in the Code of Virginia.

All agencies of the Commonwealth shall provide assistance to the Virginia Code Commission in compiling the recommendations, upon request.

The Virginia Code Commission shall submit to the Division of Legislative Automated Systems an executive summary and the recommendations concerning the enactment clauses no later than the first day of the 2007 Regular Session of the General Assembly. The executive summary and recommendations shall be submitted for publication as a report 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.

INTRODUCED

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