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HOUSE BILL NO. 1623

Offered January 10, 2007

Prefiled August 23, 2006

A BILL to amend and reenact §§ 30-151 and 30-152 of the Code of Virginia, relating to obsolete and unfunded laws.

Patrons—Landes and Hurt; Senators: Edwards and McDougle

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That §§ 30-151 and 30-152 of the Code of Virginia are amended and reenacted as follows:

§ 30-151. Ongoing responsibility for repeal of obsolete statutes and Acts of Assembly.

The Commission shall ~~continuously~~ review the Code of Virginia and uncodified provisions in the Virginia Acts of Assembly to identify obsolete chapters, articles, sections, or enactments. The Commission shall ~~annually~~ *from time to time* make such recommendation to the General Assembly through legislation amending or repealing such statutes or acts as the Commission deems appropriate.

§ 30-152. Revision of the Code of Virginia; construction of statutes relating to titles amended.

The Code of Virginia shall continue to be gradually revised by revising one title at a time. The Commission shall have the responsibility for drafting title revision and recodification bills for introduction into the General Assembly. During the recodification or title revision process, the Commission shall evaluate the need for and recommend ~~in a separate report~~, the ~~possible~~ repeal of any section or provision relating to the revised title that has not been implemented during any of the previous five years because sufficient funds were not appropriated by the General Assembly. The House Committee on Appropriations and the Senate Committee on Finance shall assist the Commission in determining which sections and provisions of the Code of Virginia meet these conditions for repeal. In the revision of each title, all other sections of the Code of Virginia relating to the same subject matter shall be revised to the extent necessary. Whenever in a title revision or recodification bill an existing section of a title of the Code of Virginia is repealed and replaced with a renumbered section and that section so repealed was effective with an uncodified enactment, the repeal of that section, alone, shall not affect the uncodified enactment. The title revision or recodification bill shall expressly repeal the uncodified enactment in order for the enactment to be repealed.

Whenever, during any session of the General Assembly, there shall have been enacted any statute purporting to revise, rearrange, amend, and recodify any title of the Code of Virginia, such statute shall be deemed to have been enacted prior to any other statute enacted at such session adding to, repealing, or amending and reenacting any portion of such title. Every such other statute shall be deemed to have so added to, repealed, or amended and reenacted, as the case may be, such title as so revised, rearranged, amended, and recodified. Effect shall be given to any such other, or subsequent, statute only to the extent of any apparent changes in the law as it existed prior to such session.

INTRODUCED

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