

# VIRGINIA ACTS OF ASSEMBLY -- 2011 SESSION

## CHAPTER 41

*An Act to amend and reenact § 15.2-1535 of the Code of Virginia; to amend the Code of Virginia by adding a section numbered 51.5-5.01; and to repeal Chapter 10 (§§ 51.5-47 through 51.5-52) of Title 51.5 of the Code of Virginia, relating to local disability services.*

[H 2217]

Approved March 10, 2011

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

**1. That § 15.2-1535 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 51.5-5.01 as follows:**

§ 15.2-1535. Members of governing body not to be elected or appointed by governing body to certain offices.

A. Pursuant to Article VII, Section 6 of the Constitution of Virginia, no member of a governing body of a locality shall be eligible, during the term of office for which he was elected or appointed, to hold any office filled by the governing body by election or appointment, except that a member of a governing body may be named a member of such other boards, commissions, and bodies as may be permitted by general law and except that a member of a governing body may be named to fill a vacancy in the office of mayor or board chairman if permitted by general or special law.

B. Pursuant to Article VII, Section 6 of the Constitution of Virginia, and without limiting any other provision of general law, a governing body member may be named by the governing body to one or more of the following positions:

1. Director of emergency management pursuant to § 44-146.19;
2. Member of a planning district commission pursuant to § 15.2-4203;
3. Member of a transportation district commission pursuant to § 15.2-4507;
4. Member of a behavioral health authority board pursuant to Chapter 6 (§ 37.2-600 et seq.) of Title 37.2;
5. Member of a hospital or health center commission pursuant to Chapter 51 (§ 15.2-5100 et seq.) of Title 15.2;
6. Member of a community services board pursuant to Chapter 5 (§ 37.2-500 et seq.) of Title 37.2;
7. Member of a park authority pursuant to Chapter 57 (§ 15.2-5700 et seq.) of Title 15.2;
8. Member of a detention or other residential care facilities commission pursuant to Article 13 (§ 16.1-315 et seq.) of Chapter 11 of Title 16.1;
9. Member of a board of directors, governing board or advisory council of an area agency on aging pursuant to § 2.2-703;
10. Member of a regional jail or jail farm board, pursuant to § 53.1-106 or of a regional jail authority or jail authority pursuant to Article 3.1 (§ 53.1-95.2 et seq.) of Chapter 3 of Title 53.1;
11. With respect to members of the governing body of a town under 3,500 population, member of an industrial development authority's board of directors pursuant to Chapter 49 (§ 15.2-4900 et seq.) of Title 15.2;
12. ~~Member of a disability services board pursuant to Chapter 10 (§ 51.5-47 et seq.) of Title 51.5;~~
13. Member of the board of directors, governing board, or advisory council or committee of an airport commission or authority;
- 14 ~~13.~~ Member of a Board of Directors of a Regional Industrial Facility Authority pursuant to Chapter 64 (§ 15.2-6400 et seq.) of Title 15.2;
- 15 ~~14.~~ Member of a local parks and recreation commission; and
- 16 ~~15.~~ Member of the Board of the Richmond Ambulance Authority.

C. If any governing body member is appointed or elected by the governing body to any office, his qualification in that office shall be void except as provided in subsection B or by other general law.

D. Except as specifically provided in general or special law, no appointed body listed in subsection B shall be comprised of a majority of elected officials as members, nor shall any locality be represented on such appointed body by more than one elected official.

E. For the purposes of this section, "governing body" includes the mayor of a municipality and the county board chairman.

## CHAPTER 2.

### DEFINITIONS; STATE REHABILITATION COUNCIL; LOCAL DISABILITY SERVICES.

§ 51.5-5.01. *Local interagency services teams.*

*In order to provide comprehensive services within a continuum of care, local agencies providing services to persons with physical and sensory disabilities may convene a local interagency services team to respond to the needs of individual consumers who require extensive coordination of services.*

*Membership on the teams shall reflect the needs of the individual consumer and may include but shall not be limited to: representatives from the Department of Rehabilitative Services, the Department for the Blind and Vision Impaired, the Department for the Deaf and Hard-of-Hearing, community services boards, and local social services departments, health departments, and school divisions. When established, interagency services teams shall be responsible for conducting an assessment process across agencies to identify the strengths and needs of individual consumers, developing a rehabilitation plan, and integrating the array of required services. Interagency services teams shall report to the consumer's assigned case manager or counselor, as appropriate.*

**2. That Chapter 10 (§§ 51.5-47 through 51.5-52) of Title 51.5 of the Code of Virginia is repealed.**