

VIRGINIA ACTS OF ASSEMBLY -- 2011 RECONVENED SESSION

CHAPTER 848

An Act to amend and reenact § 30-145 of the Code of Virginia, relating to the Virginia Code Commission.

[S 1069]

Approved April 6, 2011

Be it enacted by the General Assembly of Virginia:

1. That § 30-145 of the Code of Virginia is amended and reenacted as follows:

§ 30-145. Virginia Code Commission; membership, terms; compensation; staff; quorum.

A. The Virginia Code Commission (the Commission) is established in the legislative branch of state government. The Commission shall consist of not less than ~~40~~ *11* members nor more than ~~42~~ *13* members as follows:

1. Two members of the Senate appointed by the Senate Committee on Rules for terms coincident with their terms as members of the Senate, and two members of the House of Delegates appointed by the Speaker of the House of Delegates for terms coincident with their terms as members of the House of Delegates;

2. Two circuit court judges, both of whom may be retired or inactive, *one* appointed by the ~~Governor~~ *Speaker of the House of Delegates and one appointed by the Senate Committee on Rules*, for terms of four years each. ~~If the Governor fails to make such appointment within 90 days of the expiration of the term or the occurrence of a vacancy, the Speaker shall make the appointment. If the Governor fails a second time to make such appointment, the Senate Committee on Rules shall make the appointment, and the Speaker and Senate Committee on Rules shall alternate such appointments thereafter;~~

3. One former member of the House of Delegates appointed by the Speaker and one former member of the Senate appointed by the Senate Committee on Rules, both for four-year terms, who shall be entitled to all the rights granted under § 30-5;

4. *Three ex officio members with voting privileges as follows: (i) The Governor, or his designee, (ii) the Attorney General, or an assistant Attorney General designated by the Attorney General, and (iii) the Director of the Division of Legislative Services; and*

5. One or two nonlegislative citizen members, as may be recommended by the Commission, for a four-year term who has demonstrated legal knowledge and experience in the codification of session laws and recodification of statutes. Upon recommendation of the Commission, the Speaker of the House of Delegates shall make the first appointment to the Commission and the Senate Committee on Rules the second. Vacancies shall be filled in the same manner as the original appointments. Each member approved pursuant to this subdivision shall be entitled to all the rights granted under § 30-5.

B. All members of the Commission shall serve until the expiration of their terms or until their successors qualify. Subsequent appointments shall be made for similar terms, and vacancies shall be filled for the unexpired terms in the manner of the original appointments.

C. Current legislative members of the Commission shall receive compensation as provided in § 30-19.12. Other members of the Commission shall receive compensation as provided in § 2.2-2813 for their services. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of compensation and expenses of the members shall be provided from existing appropriations to the Commission.

D. The Division of Legislative Services shall provide staff support to the Commission. The Commission may also directly employ part-time or full-time personnel as needs occur, including experts who have special knowledge of specific titles of the Code being revised.

E. A majority of the members of the Commission shall constitute a quorum. The Commission shall elect a chairman and vice-chairman from among its membership. Meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

2. That judicial appointments made by the Governor pursuant to subdivision A 2 of § 30-145 of the Code of Virginia shall continue as members until their current terms expire.