

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 2.2-2812 of the Code of Virginia, relating to employment of personnel*
3 *within the executive branch of state government.*

4 [H 2198]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 2.2-2812 of the Code of Virginia is amended and reenacted as follows:**

8 § 2.2-2812. Employment of personnel.

9 A. Notwithstanding any other provision of law to the contrary, the agency administrator of each
10 executive branch agency, except those that by law are appointed by their respective boards, shall employ
11 the personnel necessary for the proper performance of all responsibilities of their agency subject to the
12 Virginia Personnel Act (§ 2.2-2900 et seq.) ~~of this title~~ and within the limits of appropriations made
13 therefor by law.

14 B. Notwithstanding any other provision of law to the contrary, any employee of an agency in the
15 executive branch of state government, who is (i) promoted within the same agency to a higher position
16 classification ~~shall~~ and (ii) *required* to serve a period of time in a probationary status incident to such
17 promotion, ~~and~~ shall be offered to be returned to such employee's previous classified position or an
18 equivalent position for which a vacancy exists if, for any reason other than misconduct, the probationary
19 period of employment is not satisfied or completed.

ENROLLED

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