

## VIRGINIA ACTS OF ASSEMBLY — CHAPTER

*An Act to amend and reenact § 2.2-2101, as it is currently effective and as it shall become effective, of the Code of Virginia and to repeal Article 22 (§§ 2.2-2462, 2.2-2463, and 2.2-2464) of Chapter 24 of Title 2.2 of the Code of Virginia, relating to the Open Education Curriculum Board.*

[S 923]

Approved

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

**1. That § 2.2-2101, as it is currently effective and as it shall become effective, of the Code of Virginia is amended and reenacted as follows:**

**§ 2.2-2101. (Effective until July 1, 2013) Prohibition against service by legislators on boards, commissions, and councils within the executive branch; exceptions.**

Members of the General Assembly shall be ineligible to serve on boards, commissions, and councils within the executive branch of state government who are responsible for administering programs established by the General Assembly. Such prohibition shall not extend to boards, commissions, and councils engaged solely in policy studies or commemorative activities. If any law directs the appointment of any member of the General Assembly to a board, commission, or council in the executive branch of state government that is responsible for administering programs established by the General Assembly, such portion of such law shall be void, and the Governor shall appoint another person from the Commonwealth at large to fill such a position.

The provisions of this section shall not apply to members of the Board for Branch Pilots, who shall be appointed as provided for in § 54.1-901; to members of the Board of Trustees of the Southwest Virginia Higher Education Center, who shall be appointed as provided for in § 23-231.3; to members of the Board of Trustees of the Southern Virginia Higher Education Center, who shall be appointed as provided for in § 23-231.25; to members of the Board of Directors of the New College Institute who shall be appointed as provided for in § 23-231.31; to members of the Virginia Interagency Coordinating Council who shall be appointed as provided for in § 2.2-5204; to members of the Board of Veterans Services, who shall be appointed as provided for in § 2.2-2452; to members appointed to the Board of Trustees of the Roanoke Higher Education Authority pursuant to § 23-231.15; to members of the Virginia Geographic Information Network Advisory Board, who shall be appointed as provided for in § 2.2-2423; to members of the Board of Visitors of the Virginia School for the Deaf and the Blind, who shall be appointed as provided for in § 22.1-346.2; to members of the Substance Abuse Services Council, who shall be appointed as provided for in § 2.2-2696; to members of the Criminal Justice Services Board, who shall be appointed as provided in § 9.1-108; to members of the Council on Virginia's Future, who shall be appointed as provided for in § 2.2-2685; to members of the State Executive Council for Comprehensive Services for At-Risk Youth and Families, who shall be appointed as provided in § 2.2-2648; to members of the Virginia Workforce Council, who shall be appointed as provided for in § 2.2-2669; to members of the Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund Board, who shall be appointed as provided for in § 51.1-1201; to members of the Secure Commonwealth Panel, who shall be appointed as provided for in § 2.2-233; to members of the Forensic Science Board, who shall be appointed as provided for in § 9.1-1109; to members of the Open Education Curriculum Board, who shall be appointed as provided in § 2.2-2463; or to members of the Southwest Virginia Cultural Heritage Foundation, who shall be appointed as provided in § 2.2-2735.

**§ 2.2-2101. (Effective July 1, 2013) Prohibition against service by legislators on boards, commissions, and councils within the executive branch; exceptions.**

Members of the General Assembly shall be ineligible to serve on boards, commissions, and councils within the executive branch of state government who are responsible for administering programs established by the General Assembly. Such prohibition shall not extend to boards, commissions, and councils engaged solely in policy studies or commemorative activities. If any law directs the appointment of any member of the General Assembly to a board, commission, or council in the executive branch of state government that is responsible for administering programs established by the General Assembly, such portion of such law shall be void, and the Governor shall appoint another person from the Commonwealth at large to fill such a position.

The provisions of this section shall not apply to members of the Board for Branch Pilots, who shall be appointed as provided for in § 54.1-901; to members of the Board of Trustees of the Southwest Virginia Higher Education Center, who shall be appointed as provided for in § 23-231.3; to members of the Board of Trustees of the Southern Virginia Higher Education Center, who shall be appointed as

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57 provided for in § 23-231.25; to members of the Board of Directors of the New College Institute who  
58 shall be appointed as provided for in § 23-231.31; to members of the Virginia Interagency Coordinating  
59 Council who shall be appointed as provided for in § 2.2-5204; to members of the Board of Veterans  
60 Services, who shall be appointed as provided for in § 2.2-2452; to members appointed to the Board of  
61 Trustees of the Roanoke Higher Education Authority pursuant to § 23-231.15; to members of the  
62 Virginia Geographic Information Network Advisory Board, who shall be appointed as provided for in  
63 § 2.2-2423; to members of the Board of Visitors of the Virginia School for the Deaf and the Blind, who  
64 shall be appointed as provided for in § 22.1-346.2; to members of the Substance Abuse Services  
65 Council, who shall be appointed as provided for in § 2.2-2696; to members of the Criminal Justice  
66 Services Board, who shall be appointed as provided in § 9.1-108; to members of the State Executive  
67 Council for Comprehensive Services for At-Risk Youth and Families, who shall be appointed as  
68 provided in § 2.2-2648; to members of the Virginia Workforce Council, who shall be appointed as  
69 provided for in § 2.2-2669; to members of the Volunteer Firefighters' and Rescue Squad Workers'  
70 Service Award Fund Board, who shall be appointed as provided for in § 51.1-1201; to members of the  
71 Secure Commonwealth Panel, who shall be appointed as provided for in § 2.2-233; to members of the  
72 Forensic Science Board, who shall be appointed as provided for in § 9.1-1109; ~~to members of the Open~~  
73 ~~Education Curriculum Board, who shall be appointed as provided in § 2.2-2463; or to members of the~~  
74 Southwest Virginia Cultural Heritage Foundation, who shall be appointed as provided in § 2.2-2735.  
75 **2. That Article 22 (§§ 2.2-2462, 2.2-2463, and 2.2-2464) of Chapter 24 of Title 2.2 of the Code of**  
76 **Virginia is repealed.**