

14101610D

HOUSE BILL NO. 732

Offered January 8, 2014

Prefiled January 7, 2014

A *BILL to amend and reenact §§ 2.2-203, 2.2-401.1, and 35.1-4 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 1-242.1, and to repeal §§ 2.2-400 and 2.2-401 of the Code of Virginia, relating to the Secretary of Administration; transfer of powers and duties; elimination of the Secretary of the Commonwealth.*

Patron—Lingamfelter

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-203, 2.2-401.1, and 35.1-4 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 1-242.1 as follows:

§ 1-242.1. Secretary of the Commonwealth.

Wherever in the Code, the term "Secretary of the Commonwealth" is used, it shall be deemed to mean the Secretary of Administration.

§ 2.2-203. Position established; agencies for which responsible.

A. The position of Secretary of Administration (the Secretary) is created. The Secretary shall be responsible to the Governor for the following agencies and boards: Department of Human Resource Management, Department of General Services, Compensation Board, and ~~Secretary of the Commonwealth~~ *Division of Executive Support*. The Governor may, by executive order, assign any other state executive agency to the Secretary, or reassign any agency listed above to another Secretary.

B. *The Secretary, who shall be ex officio Secretary to the Governor, shall be in direct charge of the Division of Executive Support and shall be responsible for carrying out the functions as set forth in Chapter 4 (§ 2.2-401.1 et seq.).*

C. *The Secretary, before he acts as such, shall, in addition to the other oaths prescribed by law, take an oath to keep secret such matters as he may be required by the Governor to conceal.*

D. *Wherever in the Code of Virginia the term "Secretary of the Commonwealth" is used, it shall be deemed to mean the Secretary of Administration.*

CHAPTER 4.

~~SECRETARY DIVISION OF THE COMMONWEALTH EXECUTIVE SUPPORT.~~**§ 2.2-401.1. Certified mail; subsequent mail or notices may be sent by regular mail.**

Whenever in the Code of Virginia the Secretary of Administration (*the Secretary*) is required to send any mail or notice by certified mail and such mail or notice is sent certified mail, return receipt requested, then any subsequent, identical mail or notice that is sent by the Secretary may be sent by regular mail.

§ 35.1-4. Applicability of Administrative Process Act.

The Administrative Process Act (§ 2.2-4000 *et seq.*) shall govern the procedures for rendering all case decisions, as defined in § ~~2.2-400~~ 2.2-4001, and for issuing all orders and regulations promulgated pursuant to the authority of this title.

2. That §§ 2.2-400 and 2.2-401 of the Code of Virginia are repealed.

3. That wherever in the Code of Virginia the term "Secretary of the Commonwealth" is used, it shall be deemed to mean the Secretary of Administration.

4. That on or after July 1, 2014, the Secretary of Administration shall be the successor in interest to the Secretary of the Commonwealth to the extent this act transfers powers and duties. All right, title, and interest in and to any tangible personal property vested in the Secretary of the Commonwealth to the extent this act transfers powers and duties as of July 1, 2014, shall be transferred to and taken as standing in the name of the Secretary of Administration.

5. That the Governor may transfer any employee within a secretariat or office established, abolished, or otherwise affected by the provisions of this act, or from one such secretariat or office to another, to support changes in organization or responsibility resulting from or required by the provisions of this act.

6. That the Governor may transfer any appropriation or any portion thereof within a secretariat or office established, abolished, or otherwise affected by the provisions of this act, or from one such secretariat or office to another, to support changes in organization or responsibility resulting from or required by the provisions of this act.

7. That any and all rules and regulations adopted by the Secretary of the Commonwealth that are

INTRODUCED

HB732

59 in effect as of July 1, 2014, and that pertain to the subject of this act shall remain in full force
60 and effect until altered, amended, or rescinded by the Secretary of Administration.