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HOUSE BILL NO. 246

Offered January 10, 2018

Prefiled January 2, 2018

A BILL to amend and reenact §§ 30-146, 30-148, and 30-149 of the Code of Virginia, relating to the duties of the Virginia Code Commission.

Patron—Habeeb

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That §§ 30-146, 30-148, and 30-149 of the Code of Virginia are amended and reenacted as follows:

§ 30-146. Publication of Code of Virginia, Administrative Code, and Register of Regulations; authority regarding type and form.

The Commission is charged with the responsibility of publishing and maintaining a Code of the ~~general and permanent~~ statutes of the Commonwealth. The Commission shall also have the responsibility of publishing and maintaining the Virginia Administrative Code, and publishing the Virginia Register of Regulations as provided for in § 2.2-4031.

The Commission may arrange for the Code of Virginia, the Virginia Administrative Code, and the Virginia Register of Regulations to be (i) printed and published by or at the expense of the Commonwealth and sold and otherwise distributed by the Commonwealth or (ii) privately printed and published, under the direction and supervision of the Commission and upon such terms as the Commission may provide, and sold and distributed by the publisher upon such terms, including terms as to price, as the Commission may provide.

The Subject to the limitations and requirements under §§ 30-148 and 30-149, the Commission shall have full discretion to arrange for the publication of annotated or unannotated copies of the Code of Virginia, the Virginia Administrative Code, and the Virginia Register of Regulations; to fix the number of volumes; and to decide all questions of form, makeup, and arrangement, including title pages, prefaces, annotations, indices, tables of contents and reference, appendices, paper, type, binding, and lettering. The Commission may arrange for the Code of Virginia and the Virginia Administrative Code to be made permanent editions and kept current by means of supplements and replacement volumes.

§ 30-148. Codification of session laws.

A. Immediately following each regular session of the General Assembly, the Commission shall arrange for the codification and incorporation into the Code of Virginia of all ~~general and permanent~~ statutes enacted at such regular sessions and at all special sessions that have occurred between that regular session and the immediately preceding regular session. The statutes may be incorporated by supplements to each volume, replacement of any volume or volumes, or a combination thereof.

Unless prevented by unusual circumstances, this work and the distribution of each supplement and replacement volume shall be completed prior to the date when the statutes contained in each such supplement and replacement volume become effective.

B. If the General Assembly expresses its intent for a law not to be incorporated into the Code of Virginia by the title of the bill relating to such law or through other means, then the Commission shall neither codify nor incorporate such law into the Code of Virginia. If the General Assembly expresses its intent for a law to be incorporated into the Code of Virginia by the title of the bill relating to such law or through other means, then the Commission shall codify and incorporate such law into the Code of Virginia. Beginning with the 2018 Regular Session of the General Assembly, the Commission shall arrange for (i) the printing or (ii) the publication on a legislative branch agency website of all enactments appearing in a chapter of the acts of assembly if any provision of such chapter is required to be codified and incorporated into the Code of Virginia by this subsection. Such enactments shall be printed or published on a legislative branch agency website as they appear in the chapter of the acts of assembly.

§ 30-149. Authority for minor changes to the Code of Virginia.

A. The Commission may correct unmistakable printer's errors, misspellings, and other unmistakable errors in the statutes as incorporated into the Code of Virginia, and may make ~~consequential~~ changes in the titles of officers and agencies; and other ~~purely consequential~~ changes made necessary by the use in the statutes of titles, terminology, and references; or other language ~~no longer appropriate that has expired, become obsolete, or been repealed or renamed.~~

B. The Commission may renumber, rename, and rearrange ~~any~~ Code of Virginia titles, chapters,

59 articles, and sections in the statutes adopted; and make corresponding changes in lists of chapter, article,
60 and section headings, catchlines, and tables; when, in the judgment of the Commission, it is necessary
61 because of any disturbance or interruption of orderly or consecutive arrangement.

62 C. The Commission may correct unmistakable errors in cross-references to Code of Virginia sections
63 and may change cross-references to Code of Virginia sections ~~which~~ *that* have become outdated or
64 incorrect due to subsequent amendment to, revision, or repeal of the sections to which reference is
65 made.

66 ~~The Commission may omit from the statutes incorporated into the Code of Virginia provisions~~
67 ~~which, in the judgment of the Commission, are inappropriate in a code, such as emergency clauses,~~
68 ~~clauses providing for specific nonrecurring appropriations and general repealing clauses.~~