

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 54.1-113 of the Code of Virginia, relating to the Department of*
3 *Professional and Occupational Regulation; adjustment of fees by regulatory boards; distribution of*
4 *excess fees to regulants.*

5 [H 1939]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**8 **1. That § 54.1-113 of the Code of Virginia is amended and reenacted as follows:**9 **§ 54.1-113. Regulatory boards to adjust fees; certain transfer of moneys collected on behalf of**
10 **health regulatory boards prohibited.**11 *A. Following the close of any biennium, when the account for any regulatory board within the*
12 *Department of Professional and Occupational Regulation maintained under § 54.1-308 shows that*
13 *unspent and unencumbered revenue exceeds \$100,000 or 20 percent of the total expenses allocated to*
14 *the regulatory board for the past biennium, whichever is greater, the regulatory board shall (i)*
15 *distribute all such excess revenue to current regulants and (ii) reduce the fees levied by it for*
16 *certification, licensure, registration, or permit and renewal thereof so that the fees are sufficient but not*
17 *excessive to cover expenses.*18 *B. Following the close of any biennium, when the account for any regulatory board within the*
19 *Department of Professional and Occupational Regulation or the Department of Health Professions*
20 *maintained under § 54.1-308 or 54.1-2505 shows expenses allocated to it for the past biennium to be*
21 *more than 10 percent greater or less than moneys collected on behalf of the regulatory board, it shall*
22 *revise the fees levied by it for certification, licensure, registration, or permit and renewal thereof so that*
23 *the fees are sufficient but not excessive to cover expenses.*24 ~~B.~~ *C. Nongeneral funds generated by fees collected on behalf of the health regulatory boards and*
25 *accounted for and deposited into a special fund by the Director of the Department of Health Professions*
26 *shall be held exclusively to cover the expenses of the health regulatory boards, the Health Practitioners'*
27 *Monitoring Program, and the Department and Board of Health Professions and shall not be transferred*
28 *to any agency other than the Department of Health Professions, except as provided in §§ 54.1-3011.1*
29 *and 54.1-3011.2.*30 **2. That the provisions of the first enactment of this act shall become effective on July 1, 2022.**

ENROLLED

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