

VIRGINIA ACTS OF ASSEMBLY -- 2021 SPECIAL SESSION I

CHAPTER 169

An Act to amend the Code of Virginia by adding in Chapter 24 of Title 2.2 an article numbered 29, consisting of sections numbered 2.2-2499.1 through 2.2-2499.4, relating to establishment of the Virginia LGBTQ+ Advisory Board.

[H 2130]

Approved March 18, 2021

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 24 of Title 2.2 an article numbered 29, consisting of sections numbered 2.2-2499.1 through 2.2-2499.4, as follows:

Article 29.

Virginia LGBTQ+ Advisory Board.

§ 2.2-2499.1. Virginia LGBTQ+ Advisory Board; membership; terms; quorum; meetings.

A. The Virginia LGBTQ+ Advisory Board (the Board) is established as an advisory board in the executive branch of state government.

B. The Board shall have a total membership of 26 members that shall consist of 21 nonlegislative citizen members and five ex officio members. Nonlegislative citizen members shall be appointed as follows: 21 members, at least 15 of whom shall identify as LGBTQ+, to be appointed by the Governor, subject to confirmation by the General Assembly. The Secretaries of the Commonwealth, Commerce and Trade, Education, Health and Human Resources, and Public Safety and Homeland Security, or their designees, shall serve ex officio with nonvoting privileges. Nonlegislative citizen members of the Board shall be citizens of the Commonwealth.

C. Ex officio members of the Board shall serve terms coincident with their terms of office. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed.

After the initial staggering of terms, nonlegislative citizen members shall be appointed for a term of four years. No nonlegislative citizen member shall serve more than two consecutive four-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment.

D. The Board shall elect a chairman and vice-chairman from among its membership. A majority of the members shall constitute a quorum. The meetings of the Board shall be held at the call of the chairman or whenever the majority of the members so request.

§ 2.2-2499.2. Compensation; expenses.

Members shall receive no compensation for their services, but shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825.

§ 2.2-2499.3. Powers and duties of the Board; report.

The Board shall have the power and duty to:

1. Advise the Governor regarding the development of economic, professional, cultural, educational, and governmental links between the Commonwealth and the LGBTQ+ community in Virginia.

2. Undertake studies, sponsor symposiums, conduct research, and prepare factual reports in order to gather information to formulate and present recommendations to the Governor relating to issues of concern and importance to the LGBTQ+ community in the Commonwealth.

3. Advise the Governor as needed regarding any statutory, regulatory, or other issues of importance to the LGBTQ+ community in the Commonwealth.

4. Apply for, accept, and expend gifts, grants, or donations from public, quasi-public, or private sources, including any matching funds as may be designated in an appropriation act, to enable it to better carry out its objectives.

5. Submit an annual report to the Governor and the General Assembly for publication as a report document as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports.

§ 2.2-2499.4. Staffing.

The Office of the Governor shall provide staff support to the Board. All agencies of the Commonwealth shall provide assistance to the Board, upon request.

2. That the initial appointments of nonlegislative citizen members to the Virginia LGBTQ+ Advisory Board shall be staggered as follows: five members for a term of one year, five members for a term of two years, five members for a term of three years, and six members for a term of four years.