

VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 374

An Act to amend and reenact § 32.1-225 of the Code of Virginia, relating to bedding and upholstered furniture; exemption from regulation.

[H 2173]

Approved March 23, 2023

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-225 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-225. Exemptions.

A. The provisions of this article shall not apply to:

1. Any items of bedding or upholstered furniture sold under the order of any court or pursuant to § 55.1-2902, any sale of a decedent's estate, or any sale by any individual of his household effects.

2. *Any items of bedding or upholstered furniture that are 75 years old or older.*

3. Any interstate public carrier.

~~3.~~ 4. Any state institution, agency, or department unless such institution, agency, or department offers for sale to the public items of bedding or upholstered furniture manufactured, reupholstered, or renovated by it.

~~4.~~ 5. Any retailer who sells, gives away, or rents used upholstered furniture that has been purchased by the retailer as new furniture and has been used in the course of business when such used furniture has been (i) conspicuously identified as used furniture and (ii) reduced in price, sold at auction, donated to charity, or made available for a rental fee, and so tagged.

B. Any person who sells at retail, exclusively on a consignment basis, articles of bedding that are handmade by individuals and whose gross annual receipts from the sale of such articles are not in excess of \$2,000 shall be deemed to be the manufacturer of such articles and shall not be required to obtain a license to make such articles. Each such article shall have a label affixed stating the kind of filling materials used in such article but shall be exempt from any other requirement as to tags set forth in this article.