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HOUSE BILL NO. 2440

House Amendments in [] - February 6, 2023

A *BILL to amend the Code of Virginia by adding in Chapter 13 of Title 22.1 an article numbered 5.1, consisting of sections numbered 22.1-237.1 through 22.1-237.6, relating to establishment of Asian American and Pacific Islander Heritage Commission; report.*

Patron Prior to Engrossment—Delegate Greenhalgh

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 13 of Title 22.1 an article numbered 5.1, consisting of sections numbered 22.1-237.1 through 22.1-237.6, as follows:

*Article 5.1.**Asian American and Pacific Islander Heritage Commission.***§ 22.1-237.1. Asian American and Pacific Islander Heritage Commission; purpose.**

The Asian American and Pacific Islander Heritage Commission (the Commission) is established as an advisory commission in the executive branch of state government.

The purpose of the Commission is to advise the Board on the implementation of educational standards regarding Asian or Asian American and Pacific Islander contributions, culture, history, heritage, and language.

§ 22.1-237.2. Membership; terms; quorum; meetings.

The Commission shall have a total membership of [~~15~~ 16] members that shall consist of [~~five~~ six] legislative members, 9 nonlegislative citizen members, and one ex officio member. Members shall be appointed as follows: [~~three~~ four] members of the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two members of the Senate, to be appointed by the Senate Committee on Rules, ensuring equal representation by the majority and minority parties; five nonlegislative citizen members to be appointed by the Speaker of the House of Delegates; and four nonlegislative citizen members to be appointed by the Senate Committee on Rules. The Secretary of Education or his designee shall serve ex officio with nonvoting privileges. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth.

Legislative members and the ex officio member of the Commission 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 House member shall serve more than four consecutive two-year terms, no Senate member shall serve more than two consecutive four-year terms, and 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.

The Commission shall annually elect a chairman and vice-chairman from among its membership. A majority of the members shall constitute a quorum. The Commission shall meet no more than four times each year. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

§ 22.1-237.3. Compensation; expenses.

Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members 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. Funding for the costs of compensation and expenses of the members shall be provided by the Department.

§ 22.1-237.4. Powers and duties of the Commission.

The Commission shall have the following powers and duties:

1. Advise the Board on the implementation of educational standards regarding Asian or Asian American and Pacific Islander contributions, culture, history, heritage, and language; and

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

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59 *processing of legislative documents and reports. The chairman shall submit to the Governor and the*
60 *General Assembly an annual executive summary of the interim activity and work of the Commission no*
61 *later than the first day of each regular session of the General Assembly. The executive summary shall*
62 *be submitted for publication as a report document as provided in the procedures of the Division of*
63 *Legislative Automated Systems for the processing of legislative documents and reports and shall be*
64 *posted on the General Assembly's website.*

65 **§ 22.1-237.5. Staffing.**

66 *The Department shall provide staff support to the Commission. All agencies of the Commonwealth*
67 *shall provide assistance to the Commission, upon request.*

68 **§ 22.1-237.6. Sunset.**

69 *This article shall expire on July 1, 2027.*

70 **2. That the initial appointments of nonlegislative citizen members shall be staggered as follows:**
71 **five members for a term of two years appointed by the Speaker of the House of Delegates and**
72 **four members for a term of four years appointed by the Senate Committee on Rules.**