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HOUSE BILL NO. 1167

Offered January 10, 2024

Prefiled January 10, 2024

A BILL to amend the Code of Virginia by adding a section numbered 15.2-918.1, relating to local prohibition on the sale of English ivy; civil penalty.

Patrons—Krizek, Bulova, Clark, Cousins, Simon and Sullivan; Senator: Surovell

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-918.1 as follows:

§ 15.2-918.1. Local prohibition on sale of English ivy; civil penalty.

A. For purposes of this section, "English ivy" means Hedera helix or any of its hybrids or cultivars, commonly known as English ivy.

B. Any locality may by ordinance prohibit the sale of English ivy within its jurisdiction. The locality may authorize a civil penalty for violations in an amount to be set out in accordance with this section. A violation of an ordinance authorized by this section shall be subject to a civil penalty, not to exceed \$50 for the first violation or violations arising from the same set of operative facts. The civil penalty for subsequent violations not arising from the same set of operative facts within 12 months of the first violation shall not exceed \$200. Each business day during which the same violation is found to have existed shall constitute a separate offense. In no event shall a series of specified violations arising from the same set of operative facts result in civil penalties that exceed a total of \$3,000 in a 12-month period.