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SENATE BILL NO. 434

Offered January 22, 1996

A BILL to amend and reenact §§ 2.1-1.6 and 59.1-199 of the Code of Virginia and to repeal Chapter 13 (§§ 54.1-1300 through 54.1-1308) of Title 54.1 of the Code of Virginia, relating to employment agencies.

Patrons—Stolle, Earley, Lambert, Martin and Stosch; Delegates: Cantor, Cox and Ingram

Referred to the Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-1.6 and 59.1-199 of the Code of Virginia are amended and reenacted as follows:

§ 2.1-1.6. State boards.

A. There shall be, in addition to such others as may be established by law, the following permanent collegial bodies affiliated with a state agency within the executive branch:

- Accountancy, Board for
- Aging, Advisory Board on the
- Agriculture and Consumer Services, Board of
- Air Pollution, State Advisory Board on
- Alcoholic Beverage Control Board, Virginia
- Apple Board, Virginia State
- Appomattox State Scenic River Advisory Board
- Aquaculture Advisory Board
- Architects, Professional Engineers, Land Surveyors and Landscape Architects, State Board for
- Art and Architectural Review Board
- Athletic Board, Virginia
- Auctioneers Board
- Audiology and Speech-Language Pathology, Board of
- Aviation Board, Virginia
- Barbers, Board for
- Branch Pilots, Board for
- Bright Flue-Cured Tobacco Board, Virginia
- Building Code Technical Review Board, State
- Catoctin Creek State Scenic River Advisory Board
- Cattle Industry Board, Virginia
- Cave Board
- Certified Seed Board, State
- Chesapeake Bay Local Assistance Board
- Chickahominy State Scenic River Advisory Board
- Child Abuse and Neglect, Advisory Board on
- Chippokes Plantation Farm Foundation, Board of Trustees
- Clinch Scenic River Advisory Board
- Coal Mining Examiners, Board of
- Coal Research and Development Advisory Board, Virginia
- Coal Surface Mining Reclamation Fund Advisory Board
- Coastal Land Management Advisory Council, Virginia
- Conservation and Development of Public Beaches, Board on
- Conservation and Recreation, Board of
- Contractors, Board for
- Corn Board, Virginia
- Correctional Education, Board of
- Corrections, State Board of
- Cosmetology, Board for
- Criminal Justice Services Board
- Dark-Fired Tobacco Board, Virginia
- Deaf and Hard-of-Hearing, Advisory Board for the Department for the
- Dentistry, Board of
- Education, State Board of
- Egg Board, Virginia

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- 60 Emergency Medical Services Advisory Board
- 61 ~~Employment Agency Advisory Board~~
- 62 Farmers Market Board, Virginia
- 63 Film Office Advisory Board
- 64 Fire Services Board, Virginia
- 65 Forensic Science Advisory Board
- 66 Forestry, Board of
- 67 Funeral Directors and Embalmers, Board of
- 68 Game and Inland Fisheries, Board of
- 69 Geology, Board for
- 70 Goose Creek Scenic River Advisory Board
- 71 Health Planning Board, Virginia
- 72 Health Professions, Board of
- 73 Health, State Board of
- 74 Hearing Aid Specialists, Board for
- 75 Hemophilia Advisory Board
- 76 Historic Resources, Board of
- 77 Housing and Community Development, Board of
- 78 Industrial Development Services Advisory Board
- 79 Insurance Advisory Board, State
- 80 Irish Potato Board, Virginia
- 81 Laboratory Services Advisory Board
- 82 Litter Control and Recycling Fund Advisory Board
- 83 Marine Products Board, Virginia
- 84 Medical Advisory Board, Department of Motor Vehicles
- 85 Medical Board of the Virginia Retirement System
- 86 Medicare and Medicaid, Advisory Board on
- 87 Medicine, Board of
- 88 Mental Health, Mental Retardation and Substance Abuse Services Board, State
- 89 Migrant and Seasonal Farmworkers Board
- 90 Military Affairs, Board of
- 91 Mineral Mining Examiners, Board of
- 92 Minority Business Enterprise, Interdepartmental Board of the Department of
- 93 Networking Users Advisory Board, State
- 94 Nottoway State Scenic River Advisory Board
- 95 Nursing, Board of
- 96 Nursing Home Administrators, Board of
- 97 Occupational Therapy, Advisory Board on
- 98 Oil and Gas Conservation Board, Virginia
- 99 Opticians, Board for
- 100 Optometry, Board of
- 101 Peanut Board, Virginia
- 102 Personnel Advisory Board
- 103 Pesticide Control Board
- 104 Pharmacy, Board of
- 105 Physical Therapy to the Board of Medicine, Advisory Board on
- 106 Plant Pollination Advisory Board
- 107 Polygraph Examiners Advisory Board
- 108 Pork Industry Board, Virginia
- 109 Poultry Products Board, Virginia
- 110 Private College Advisory Board
- 111 Private Security Services Advisory Board
- 112 Professional and Occupational Regulation, Board for
- 113 Professional Counselors, Board of
- 114 Professional Soil Scientists, Board for
- 115 Psychiatric Advisory Board
- 116 Psychology, Board of
- 117 Public Buildings Board, Virginia
- 118 Public Telecommunications Board, Virginia
- 119 Radiation Advisory Board
- 120 Real Estate Appraiser Board
- 121 Real Estate Board

- 122 Reciprocity Board, Department of Motor Vehicles
- 123 Recreational Fishing Advisory Board, Virginia
- 124 Recreation Specialists, Board of
- 125 Reforestation Board
- 126 Rehabilitation Providers, Advisory Board on
- 127 Rehabilitative Services, Board of
- 128 Respiratory Therapy, Advisory Board on
- 129 Retirement System Review Board
- 130 Rockfish State Scenic River Advisory Board
- 131 Safety and Health Codes Board
- 132 Seed Potato Board
- 133 Sewage Handling and Disposal Appeal Review Board, State Health Department
- 134 Shenandoah State Scenic River Advisory Board
- 135 Small Business Advisory Board
- 136 Small Business Environmental Compliance Advisory Board
- 137 Small Grains Board, Virginia
- 138 Social Services, Board of
- 139 Social Work, Board of
- 140 Soil and Water Conservation Board, Virginia
- 141 Soybean Board, Virginia
- 142 State Air Pollution Control Board
- 143 Substance Abuse Certification Board
- 144 Surface Mining Review, Board of
- 145 Sweet Potato Board, Virginia
- 146 T & M Vehicle Dealers' Advisory Board
- 147 Teacher Education and Licensure, Advisory Board on
- 148 Tourism and Travel Services Advisory Board
- 149 Transportation Board, Commonwealth
- 150 Transportation Safety, Board of
- 151 Treasury Board, The, Department of the Treasury
- 152 Veterans' Affairs, Board on
- 153 Veterinary Medicine, Board of
- 154 Virginia Board for Asbestos Licensing
- 155 Virginia Coal Mine Safety Board
- 156 Virginia Correctional Enterprises Advisory Board
- 157 Virginia Employment Commission, State Advisory Board for the
- 158 Virginia Higher Education Tuition Trust Fund, Board of the
- 159 Virginia Horse Industry Board
- 160 Virginia Manufactured Housing Board
- 161 Virginia Retirement System, Board of Trustees
- 162 Virginia Sheep Industry Board
- 163 Virginia Veterans Cemetery Board
- 164 Virginia Waste Management Board
- 165 Visually Handicapped, Virginia Board for the
- 166 Voluntary Formulary Board, Virginia
- 167 War Memorial Foundation, Virginia, Board of Trustees
- 168 Waste Management Facility Operators, Board for
- 169 Water Resources Research Center Statewide Advisory Board, Virginia
- 170 Waterworks and Wastewater Works Operators, Board for
- 171 Well Review Board, Virginia
- 172 Youth and Family Services, State Board of.
- 173 B. Notwithstanding the definition for "board" as provided in § 2.1-1.2, the following entities shall be
- 174 referred to as boards:
- 175 Compensation Board
- 176 State Board of Elections
- 177 State Water Control Board
- 178 Virginia Parole Board
- 179 Virginia Veterans Care Center Board of Trustees.
- 180 § 59.1-199. Exclusions.
- 181 Nothing in this chapter shall apply to:
- 182 A. Any aspect of a consumer transaction which aspect is authorized under laws or regulations of this

183 Commonwealth or the United States, or the formal advisory opinions of any regulatory body or official
184 of this Commonwealth or the United States.

185 B. Acts done by the publisher, owner, agent or employee of a newspaper, periodical, or radio or
186 television station, or other advertising media such as outdoor advertising and advertising agencies, in the
187 publication or dissemination of an advertisement in violation of § 59.1-200, unless it be proved that such
188 person knew that the advertisement was of a character prohibited by § 59.1-200.

189 C. Those aspects of a consumer transaction which are regulated by the Federal Consumer Credit
190 Protection Act, 15 U.S.C. § 1601 et seq.

191 D. Banks, savings and loan associations, credit unions, small loan companies, public service
192 corporations, mortgage lenders as defined in § 6.1-409, broker-dealers as defined in § 13.1-501 and
193 insurance companies regulated and supervised by the State Corporation Commission or a comparable
194 federal regulating body.

195 E. ~~Employment agencies licensed under Chapter 13 (§ 54.1-1300 et seq.) of Title 54.1.~~

196 F. Any aspect of a consumer transaction which is subject to the Landlord and Tenant Act, Chapter
197 13 (§ 55-217 et seq.) of Title 55 or the Virginia Residential Landlord and Tenant Act, Chapter 13.2
198 (§ 55-248.2 et seq.) of Title 55, unless the act or practice of a landlord constitutes a misrepresentation or
199 fraudulent act or practice under § 59.1-200.

200 G F. Real estate licensees who are licensed under Chapter 21 (§ 54.1-2100 et seq.) of Title 54.1.

201 **2. That Chapter 13 (§§ 54.1-1300 through 54.1-1308) of Title 54.1 of the Code of Virginia is**
202 **repealed.**