

# 1998 SESSION

## SENATE SUBSTITUTE

986839719

### SENATE BILL NO. 501

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Education and Health  
on February 12, 1998)

(Patron Prior to Substitute—Senator Newman)

*A BILL to amend and reenact § 37.1-195 of the Code of Virginia, relating to community services boards; appointments.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 37.1-195 of the Code of Virginia is amended and reenacted as follows:**

§ 37.1-195. Community services board; appointment; membership; duties of fiscal agent.

Every city, county or combination of counties or cities or counties and cities establishing a community mental health, mental retardation and substance abuse services program, before it shall come within the provisions of this act, shall establish a single community services board, with neither less than five nor more than eighteen members. When any city or county singly establishes a program, the board shall be appointed by the governing body of the local political subdivision establishing such a program. When any combination of counties or cities or counties and cities establishes a community services program, the board of supervisors of each county in the case of counties or the council in the case of cities shall establish the size of the board, shall elect and appoint the members of the board and shall designate an official of one member city or county to act as fiscal agent for the board. *Prior to making any appointment to the board, the appointing authority shall disclose and make available to the public the names of those persons being considered for appointment. The appointing authority shall also make information on the candidates available to the public, if such information is available to the appointing authority.*

Appointments to the community services board shall be broadly representative of the community and shall include representation by consumers or family members of consumers. Sheriffs or their designees shall also be included, when practical. *The appointing authorities shall also endeavor to appoint a licensed psychiatrist to the board. No employee or board member of an organization which receives funding from any community services board shall be appointed a member of the board.*

The county or city which comprises a single board and the county or city whose designated official serves as fiscal agent for the board in the case of joint boards shall annually audit the total revenues of the board and its programs and shall, in conjunction with the other participating political subdivisions in the case of joint boards, arrange for the provision of legal services to the board.

No such board shall be composed of a majority of elected officials as members, nor shall any county or city be represented on such board by more than one elected official.

The board appointed pursuant to this section shall be responsible to the governing body or bodies of the county or city or combination thereof which established such board.

SENATE SUBSTITUTE

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