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HOUSE BILL NO. 384

Offered January 12, 2022

Prefiled January 11, 2022

A *BILL to amend the Code of Virginia by adding sections numbered 2.2-2902.2 and 15.2-1512.4:1, relating to administration of government; rights of state and local employees; freedoms of conscience and expression.*

Patron—Davis

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding sections numbered 2.2-2902.2 and 15.2-1512.4:1 as follows:

§ 2.2-2902.2. Rights of employees of the Commonwealth to conscience and expression.

A. No employee of the Commonwealth shall be penalized for refusal to take any action that would cause the employee to directly and materially advance a regulation, rule, policy, or other action or purpose of a unit of state or local government that violates his deeply held beliefs, values, or conscience where a reasonable person would believe the action, if taken, to be reflective of the employee's own beliefs, values, or conscience. Nothing in this subsection shall be construed to permit an employee of the Commonwealth to refuse to follow a regulation, rule, or policy of a unit of state or local government.

B. No employee of the Commonwealth shall be prohibited from expressing opinions in opposition to or approval of a regulation, rule, policy, or other action or purpose of a unit of state government in his personal capacity as a member of the public and on his personal time.

C. For the purposes of this section, "employee of the Commonwealth" does not include any person appointed to a position in a unit of state government.

§ 15.2-1512.4:1. Rights of local government employees to conscience and expression.

A. No employee of any unit of local government shall be penalized for refusal to take any action that would cause the employee to directly and materially advance a regulation, rule, policy, or other action or purpose of a unit of state or local government that violates his deeply held beliefs, values, or conscience where a reasonable person would believe the action, if taken, to be reflective of the employee's own beliefs, values, or conscience.

B. No employee of any unit of local government shall be prohibited from expressing opinions in opposition to a regulation, rule, policy, or other action or purpose of a unit of state government in his personal capacity as a member of the public and on his personal time.

C. For the purposes of this section, "employee of any unit of local government" does not include any person appointed to a position in a unit of local government.

INTRODUCED

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