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HOUSE BILL NO. 1232

Offered January 19, 2022

A BILL to amend and reenact §§ 30-403 and 30-404 of the Code of Virginia, relating to the Behavioral Health Commission; membership.

Patron—Robinson

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:**1. That §§ 30-403 and 30-404 of the Code of Virginia are amended and reenacted as follows:****§ 30-403. (For contingent expiration date, see Acts 2021, Sp. Sess. I, c. 313, cl. 2) Membership; terms; vacancies; chairman and vice-chairman; quorum; meetings; voting on recommendations.**

The Commission shall have a total membership of 17 members that shall consist of 12 legislative members, ~~who~~ and five nonlegislative citizen members. Members shall be appointed as follows: five members of the Senate, at least one of whom shall be a member of the Senate Committee on Education and Health, at least one of whom shall be a member of the Senate Committee on Rehabilitation and Social Services, and at least two of whom shall be members of the Senate Committee on Finance and Appropriations, to be appointed by the Senate Committee on Rules and; seven members of the House of Delegates, at least two of whom shall be members of the House Committee on Appropriations and at least two of whom shall be members of the House Committee on Health, Welfare and Institutions, 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; *one nonlegislative citizen member who shall be an individual who is receiving services or who has received services from the Commonwealth's behavioral health system and one nonlegislative citizen member who shall be a behavioral health services provider providing services in the Commonwealth, who shall be appointed by the Senate Committee on Rules; and one nonlegislative citizen member who shall be an individual who is receiving services or who has received services from the Commonwealth's behavioral health system, one nonlegislative citizen member who shall be a local law-enforcement officer serving a jurisdiction located in the Commonwealth, and one individual who is a certified peer recovery specialist or registered peer recovery specialist, who shall be appointed by the Speaker of the House of Delegates. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth and shall serve without voting privileges. Unless otherwise approved in writing by the chairman of the Commission and the respective Clerk, nonlegislative citizen members shall be reimbursed only for travel originating and ending within the Commonwealth for the purpose of attending meetings.*

~~Members~~ Legislative members of the Commission shall serve terms coincident with their terms of office. ~~Members~~ Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by the expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointment. Legislative and nonlegislative citizen members may be reappointed. ~~Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired term. Vacancies shall be filled in the same manner as the original appointment.~~ However, no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining a member's eligibility for reappointment.

The Commission shall elect a chairman and a vice-chairman from among its membership.

A majority of the members of the Commission shall constitute a quorum. Meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members of the Commission so request.

No recommendation of the Commission shall be adopted if a majority of the Senate members or a majority of the House members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.

§ 30-404. (For contingent expiration date, see Acts 2021, Sp. Sess. I, c. 313, cl. 2) Compensation; expenses.

~~Members~~ 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 reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate,

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59 as applicable. All other compensation and expenses shall be paid from existing appropriations to the
60 Commission or, if unfunded, shall be approved by the Joint Rules Committee.