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SENATE BILL NO. 615

Offered January 12, 2022

A *BILL to amend and reenact § 2.2-200 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 2.2 an article numbered 3.1, consisting of sections numbered 2.2-207.1 and 2.2-207.2, relating to Governor's Office; creation of a Secretary of Disability Services Coordination.*

Patrons—Lucas and McClellan; Delegate: Rasoul

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:

1. That § 2.2-200 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Chapter 2 of Title 2.2 an article numbered 3.1, consisting of sections numbered 2.2-207.1 and 2.2-207.2, as follows:

§ 2.2-200. Appointment of Governor's Secretaries; general powers; severance.

A. The Governor's Secretaries shall be appointed by the Governor, subject to confirmation by the General Assembly if in session when the appointment is made, and if not in session, then at its next succeeding session. Each Secretary shall hold office at the pleasure of the Governor for a term coincident with that of the Governor making the appointment or until a successor is appointed and qualified. Before entering upon the discharge of duties, each Secretary shall take an oath to faithfully execute the duties of the office.

B. Each Secretary shall be subject to direction and supervision by the Governor. Except as provided in Article 4 (§ 2.2-208 et seq.), the agencies assigned to each Secretary shall:

1. Exercise their respective powers and duties in accordance with the general policy established by the Governor or by the Secretary acting on behalf of the Governor;
2. Provide such assistance to the Governor or the Secretary as may be required; and
3. Forward all reports to the Governor through the Secretary.

C. Unless the Governor expressly reserves such power to himself and except as provided in Article 4 (§ 2.2-208 et seq.), each Secretary may:

1. Resolve administrative, jurisdictional, operational, program, or policy conflicts between agencies or officials assigned;
2. Direct the formulation of a comprehensive program budget for the functional area identified in § 2.2-1508 encompassing the services of agencies assigned for consideration by the Governor;
3. Hold agency heads accountable for their administrative, fiscal, and program actions in the conduct of the respective powers and duties of the agencies;
4. Direct the development of goals, objectives, policies, and plans that are necessary to the effective and efficient operation of government;
5. Sign documents on behalf of the Governor that originate with agencies assigned to the Secretary; and
6. Employ such personnel and to contract for such consulting services as may be required to perform the powers and duties conferred upon the Secretary by law or executive order.

D. Severance benefits provided to any departing Secretary shall be publicly announced by the Governor prior to such departure.

E. As used in this chapter, "Governor's Secretaries" means the Secretary of Administration, the Secretary of Agriculture and Forestry, the Secretary of Commerce and Trade, the Secretary of Disability Services Coordination, the Secretary of Education, the Secretary of Finance, the Secretary of Health and Human Resources, the Secretary of Labor, the Secretary of Natural and Historic Resources, the Secretary of Public Safety and Homeland Security, the Secretary of Transportation, and the Secretary of Veterans and Defense Affairs.

Article 3.1.**Secretary of Disability Services Coordination.****§ 2.2-207.1. Position established; agencies for which responsible.**

The position of Secretary of Disability Services Coordinator (the Secretary) is created. The Secretary shall be appointed by the Governor and shall be responsible for duties as assigned by the Governor and as provided for by this article. The Secretary shall work with each applicable state agency head in the establishment and monitoring of policies impacting persons with disabilities. The Governor, by executive order, may assign any state executive agency to the Secretary.

For purposes of this article, "person with a disability" means the same as that term is defined in

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59 § 51.5-40.1.

60 **§ 2.2-207.2. Responsibilities of the Secretary.**

61 A. The Secretary shall assist the Governor and the Governor's Secretaries in establishing and
62 monitoring strategic plans to coordinate the efforts made by each state agency related to persons with
63 disabilities. The Secretary shall be responsible for the duties assigned to him pursuant to this article
64 and other tasks as may be assigned to him by the Governor.

65 B. The Governor's responsibilities as carried out by the Secretary shall include:

66 1. Serving as the federal Americans with Disabilities Act, 42 U.S.C. § 12131 et seq., coordinator for
67 Virginia;

68 2. Preparing an annual report for the Governor to outline recommendations for the coordination of
69 state agencies and local governments on improvements to access to services for persons with
70 disabilities;

71 3. Assisting the Governor's Secretaries in developing and monitoring state-level strategic plans to
72 ensure maximum access to services for persons with disabilities;

73 4. Supervising all state-level policies impacting persons with disabilities and related services;

74 5. Conducting statewide equity assessments to build and maintain a sustainable framework to
75 promote inclusive practices across state and local governments related to disability services;

76 6. Reporting to the Governor on issues and legislation pertaining to persons with disabilities and
77 making recommendations as requested by the Governor;

78 7. Facilitating community outreach and engagement and reporting feedback and suggestions from
79 state employees, external stakeholders, and community leaders into policies affecting persons with
80 disabilities;

81 8. Monitoring state legislation and policies and providing relevant recommendations to the Governor
82 on the impact of such legislation and policies on persons with disabilities; and

83 9. Monitoring federal legislation and policy in order to maximize the Commonwealth's effective use
84 of access to federal funding available for persons with disabilities.