

VIRGINIA ACTS OF ASSEMBLY -- 2001 SESSION

CHAPTER 216

An Act to amend and reenact §§ 9-362 and 9-368 of the Code of Virginia, relating to the Virginia Information Providers Network Authority; powers and duties; financing and operations.

[H 1926]

Approved March 14, 2001

Be it enacted by the General Assembly of Virginia:

1. That §§ 9-362 and 9-368 of the Code of Virginia are amended and reenacted as follows:

§ 9-362. Powers and duties of the Authority.

The Authority may exercise all powers necessary or convenient for carrying out its statutory purposes, including, without limitation, the power to:

1. Sue and be sued, implead and be impleaded, complain and defend in all courts;
2. Adopt, use, and alter at will a common seal;
3. Foster the development of a coordinated, comprehensive system for providing ready access to electronic public state government information for individuals, businesses, and other entities;
4. Make and execute contracts, lease agreements and all other instruments necessary or convenient to exercise the powers of the Authority or to further the public purpose for which the Authority is created;
5. Acquire by purchase, lease, or otherwise and to hold, lease, and dispose of real or personal property of every kind and character, or any interest therein, in furtherance of the public purpose of the Authority;
6. Apply for and accept any gifts or grants or loan guarantees or loans of funds or property or financial and other aid in any form from the federal government or any agency or instrumentality thereof, or from the state or any agency or instrumentality thereof, or from any other source for any or all of the purposes specified in this chapter and to comply, subject to the provisions of this chapter, with the terms and conditions thereof;
7. Contract with state agencies or any local government for the use by the Authority of any property, facilities, or services of the state or any such state agency or local government or for the use by any state agency or local government of any facilities or services of the Authority; and such state agencies and local governments are authorized to enter into such contracts *and pay the Authority for such use and services*;
8. Fix and collect fees and charges (i) for public information, media, and incidental services furnished by it to any private individual or entity, notwithstanding the charges set forth in § 2.1-342, *and (ii) for such use and services the Authority provides to any state agency or local government pursuant to subsection 7*;
9. Deposit or invest funds held by it in any state depository or in any investment which is authorized for the investment of proceeds of state general obligation bonds, and use, redeposit, or reinvest interest earned on such funds for the purposes set forth in this chapter;
10. Exercise any power granted by the laws of the Commonwealth not in conflict with the public purpose of the Authority; and
11. Make rules and regulations for its own governance.

§ 9-368. Financing and operations; Virginia Information Providers Network Fund established.

A. Initial funding for start-up costs incurred by the Authority shall be obtained from private donations. No state funds shall be used for any Authority purpose *except as provided under § 9-362*.

B. The Authority shall fund its operations from revenues generated ~~from providing access to public information, and from money, goods or in-kind services donated to the Authority by private sources pursuant to § 9-362.~~

C. There is hereby established a special fund in the state treasury to be known as the Virginia Information Providers Network Fund, hereinafter referred to as "the Fund." All moneys received by the Authority, including revenues generated from providing access to public information, and any gifts, donations, grants, or other contributions from any source, public or private, shall be deposited in the Fund. Expenses incurred by the Authority in accomplishing its purposes set forth in this chapter, as determined by the Board, shall be paid out of the Fund on warrant of the Comptroller. The Comptroller shall transfer the balance of the moneys in the Fund to the appropriate state agency or to the general fund, as required by the terms of the agreements between state agencies and the Authority pursuant to § 9-364, no later than June 30 of each year.