

2001 SESSION

SENATE SUBSTITUTE

010254996

HOUSE BILL NO. 1766

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Commerce and Labor
on February 19, 2001)

(Patron Prior to Substitute—Delegate Woodrum)

A BILL to amend the Code of Virginia by adding a section numbered 56-259.1, relating to easements conveyed to public service corporations.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 56-259.1 as follows:

§ 56-259.1. Instruments conveying easements to public service corporations.

No instrument executed by a landowner after January 1, 2002, by which an easement of right of way in land is conveyed to a public service corporation shall be accepted for recordation in any Clerk's office that maintains property records unless it bears the following provision:

"NOTICE TO LANDOWNER: You are conveying rights to a public service corporation. A public service corporation may have the right to obtain some or all of these rights through exercise of eminent domain. To the extent that any of the rights being conveyed are not subject to eminent domain, you have the right to choose not to convey those rights and you could not be compelled to do so. You have the right to negotiate compensation for any rights that you are voluntarily conveying."

If such an instrument does not bear such a notice provision but is accepted for recordation in any Clerk's office, the absence of such notice provision shall not affect the validity or enforceability of such instrument.

SENATE SUBSTITUTE

HB1766S1