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HOUSE BILL NO. 562

Offered January 14, 2004

Prefiled January 13, 2004

A BILL to amend and reenact § 15.2-5805 as it is currently in effect and as it may become effective of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 15.2-5806.1, relating to the Virginia Baseball Stadium Authority.

 Patron—Albo

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-5805 as it is currently in effect and as it may become effective of the Code of Virginia is amended and reenacted and the Code of Virginia is amended by adding a section numbered 15.2-5806.1 as follows:

§ 15.2-5805. (Contingent expiration date /- See note) Powers.

In addition to the powers set forth elsewhere in this chapter, the Authority may:

1. Adopt and alter an official seal;
 2. Sue and be sued in its own name;
 3. Adopt bylaws, rules and regulations to carry out the provisions of this chapter;
 4. Maintain an office at such place as the Authority may designate;
 5. Employ, either as regular employees or independent contractors, consultants, engineers, architects, accountants, attorneys, financial experts, construction experts and personnel, superintendents, managers and other professional personnel, personnel, and agents as may be necessary in the judgment of the Authority, and fix their compensation;
 6. Determine the locations of, develop, establish, construct, erect, acquire, own, repair, remodel, add to, extend, improve, equip, operate, regulate, and maintain facilities to the extent necessary to accomplish the purposes of the Authority;
 7. Acquire, hold, lease, use, encumber, transfer, or dispose of real and personal property, including a lease of its property or any interest therein whatever the condition thereof, whether or not constructed or acquired, to the Commonwealth or any political subdivision of the Commonwealth. The Commonwealth and any such political subdivision are authorized to acquire or lease such property or any interest therein; however, the Commonwealth shall not enter into any such lease or purchase agreement unless such lease or purchase agreement has first been approved pursuant to subsection E of § 15.2-5806 *and the authority has obtained approval for the proposed site from the local governing body of the locality in which the stadium is proposed to be located;*
 8. Enter into contracts of any kind, and execute all instruments necessary or convenient with respect to its carrying out the powers in this chapter to accomplish the purposes of the Authority;
 9. Operate, enter into contracts for the operation of, and regulate the use and operation of facilities developed under the provisions of the chapter;
 10. Fix and revise from time to time and charge and collect rates, rents, fees, or other charges for the use of facilities or for services rendered in connection with the facilities;
 11. Borrow money from any source for any valid purpose, including working capital for its operations, reserve funds, or interest, and to mortgage, pledge, or otherwise encumber the property or funds of the Authority and to contract with or engage the services of any person in connection with any financing, including financial institutions, issuers of letters of credit, or insurers;
 12. Issue bonds under this chapter;
 13. Receive and accept from any source, private or public, contributions, gifts, or grants of money or property; and
 14. Do all things necessary or convenient to carry out the powers granted by this chapter.
- § 15.2-5805. (Contingent effective date /- See note) Powers.
- In addition to the powers set forth elsewhere in this chapter, the Authority may:
1. Adopt and alter an official seal;
 2. Sue and be sued in its own name;
 3. Adopt bylaws, rules and regulations to carry out the provisions of this chapter;
 4. Maintain an office at such place as the Authority may designate;
 5. Employ, either as regular employees or independent contractors, consultants, engineers, architects, accountants, attorneys, financial experts, construction experts and personnel, superintendents, managers and other professional personnel, personnel, and agents as may be necessary in the judgment of the

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59 Authority, and fix their compensation;

60 6. Determine the locations of, develop, establish, construct, erect, acquire, own, repair, remodel, add
61 to, extend, improve, equip, operate, regulate, and maintain facilities to the extent necessary to
62 accomplish the purposes of the Authority;

63 7. Acquire, hold, lease, use, encumber, transfer, or dispose of real and personal property, including a
64 lease of its property or any interest therein whatever the condition thereof, whether or not constructed or
65 acquired, to the Commonwealth or any political subdivision of the Commonwealth. The Commonwealth
66 and any such political subdivision are authorized to acquire or lease such property or any interest
67 therein; however, the Commonwealth shall not enter into any such lease or purchase agreement unless
68 such lease or purchase agreement has first been approved pursuant to subsections E and F of
69 § 15.2-5806 and the authority has obtained approval for the proposed site from the local governing
70 body of the locality in which the stadium is proposed to be located;

71 8. Enter into contracts of any kind, and execute all instruments necessary or convenient with respect
72 to its carrying out the powers in this chapter to accomplish the purposes of the Authority;

73 9. Operate, enter into contracts for the operation of, and regulate the use and operation of facilities
74 developed under the provisions of the chapter;

75 10. Fix and revise from time to time and charge and collect rates, rents, fees, or other charges for the
76 use of facilities or for services rendered in connection with the facilities;

77 11. Borrow money from any source for any valid purpose, including working capital for its
78 operations, reserve funds, or interest, and to mortgage, pledge, or otherwise encumber the property or
79 funds of the Authority and to contract with or engage the services of any person in connection with any
80 financing, including financial institutions, issuers of letters of credit, or insurers;

81 12. Issue bonds under this chapter;

82 13. Receive and accept from any source, private or public, contributions, gifts, or grants of money or
83 property; and

84 14. Do all things necessary or convenient to carry out the powers granted by this chapter.

85 § 15.2-5806.1. Approval of locality required.

86 Notwithstanding any other provision of this chapter, prior to executing a lease or purchase
87 agreement with a major league baseball team, the authority shall obtain approval for the proposed site
88 from the local governing body of the locality in which the stadium is proposed to be located.