

2004 SESSION

HOUSE SUBSTITUTE

048930748

SENATE BILL NO. 233

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on General Laws
on March 4, 2004)

(Patron Prior to Substitute—Senator Lambert)

A BILL to amend the Code of Virginia by adding a section numbered 36-22.1, relating to housing authorities; no trespass policy.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 36-22.1 as follows:

§ 36-22.1. Conveyance of streets; no trespass policy.

Each housing authority shall adopt a "no trespass" policy designed to protect the premises controlled by such authority and residents from nonresidents who enter the premises for unlawful purposes or without any lawful purpose. In adopting such policies, the authority shall determine whether to petition a locality or the Commonwealth to close to the public and convey to the authority any streets serving authority property. Neither a locality nor the Commonwealth shall be required to grant the conveyance.

2. That the provisions of this act shall become effective on January 1, 2005.

3. That the Attorney General shall develop and distribute a model policy that takes into account any relevant constitutional limitations on such action by housing authorities, the locality or the Commonwealth. However, no housing authority shall be required to adopt the model policy developed by the Attorney General.

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