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HOUSE BILL NO. 2431

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator O'Brien

on February 22, 2007)

(Patron Prior to Substitute—Delegate Albo)

A BILL to specify the conditions under which certain lands may revert to the Commonwealth.

Be it enacted by the General Assembly of Virginia:

1. § 1. Notwithstanding the limitation on the transfer or reversion of lands to the Commonwealth contained in subsection B of § 1-405 of the Code of Virginia, lands located within the Northern Virginia Planning District that contain environmental contamination may revert or transfer to the Commonwealth if the United States enters into a written agreement with the Commonwealth pursuant to § 2.2-1150 to indemnify the Commonwealth against all costs and liabilities associated with such environmental contamination and related corrective action or otherwise provides satisfactory assurances that all corrective action necessary to protect human health and the environment will be taken at the sole expense of the United States. The written agreement shall be in a form approved by the Attorney General of Virginia.

§ 2. In addition to the requirements set forth in § 1, such transfer or reversion shall not occur unless and until the United States has agreed, and provides assurances satisfactory to the Commonwealth, to provide all transportation infrastructure improvements required to accommodate the development of any property owned by the United States and contiguous or adjacent to the property subject to the transfer or reversion.

§ 3. Except as provided in § 1, the provisions of § 1-405 of the Code of Virginia shall apply mutatis mutandis to this act.

§ 4. As used in this act, "corrective action" and "environmental contamination" shall mean the same as those terms are defined in § 1-405 of the Code of Virginia.