

12101728D

SENATE BILL NO. 183

Offered January 11, 2012

Prefiled January 10, 2012

A *BILL to amend and reenact § 17.1-276 of the Code of Virginia, relating to a fee exemption for the Virginia Outdoors Foundation.*

Patron—Stuart

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:**1. That § 17.1-276 of the Code of Virginia is amended and reenacted as follows:**

§ 17.1-276. Fee allowed for providing secure remote access to land records.

A. A clerk of the circuit court who provides secure remote access to land records pursuant to § 17.1-294 may charge a fee as provided in this section established by the clerk to cover the operational expenses. Operational expenses shall include, but not be limited to, (i) computer support, maintenance, enhancements, upgrades, and replacements and office automation and information technology equipment including software and conversion services; (ii) preserving, maintaining, and enhancing court records, including, but not limited to, the costs of repairs, maintenance, consulting services, service contracts, redaction of social security numbers from land or other records, and system replacements or upgrades; and (iii) improving public access to records maintained by the clerk. A flat fee may be assessed for each subscriber, as defined in § 17.1-295, in an amount not to exceed \$50 per month. The fee shall be paid to the clerk's office and deposited by the clerk into the clerk's nonreverting local fund to be used to cover operational expenses. The circuit court clerk shall enter into an agreement with each person whom the clerk authorizes to have remote access, in accordance with the security standards established by the Virginia Information Technologies Agency.

The Office of the Attorney General, the Division of Debt Collection, the Department of Transportation, the Virginia Outdoors Foundation, and the Department of Rail and Public Transportation shall be exempt from paying any fee for remote access to land records. If any clerk contracts with an outside vendor to provide remote access to land records to subscribers, such contract shall contain a provision exempting the Office of the Attorney General, the Division of Debt Collection, the Department of Transportation, the Virginia Outdoors Foundation, and the Department of Rail and Public Transportation from paying any access or subscription fee.

B. (Expires September 30, 2012) The clerk of the Circuit Court of Prince William County may establish a pilot program under which the clerk assesses a daily fee for remote access to land records and a separate fee per image downloaded in an amount not to exceed the fee provided in subdivision A 8 of § 17.1-275. The clerk shall make a report on any such pilot program to the House Committee for Courts of Justice and the Senate Committee for Courts of Justice on or before September 30, 2012. The report shall provide a summary of the pilot program and include the level of participation, the costs of the program, and the revenues generated by the program.

INTRODUCED

SB183