

Department of Planning and Budget

2012 Fiscal Impact Statement

1. Bill Number: HB240

House of Origin	<input type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input checked="" type="checkbox"/>	Enrolled

2. Patron: Cline

3. Committee: Passed Both Houses

4. Title: Authorizes the Department of Conservation and Recreation to divest of specified properties to Amherst County for purposes of developing a park

5. Summary: This bill authorizes the Department of Conservation and Recreation (DCR) to convey a 31.153-acre parcel at State Route 1004 to Amherst County while requiring that the land remain open to the public.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final.

8. Fiscal Implications: This bill is not anticipated to result in any fiscal impact to the state.

DCR acquired the 31.153 acres in Amherst County in May 1999 using 1992 General Obligation Bond proceeds. The acquisition was made with the intention of assisting Amherst County with establishing a local park and providing an additional site for public access upstream from the James River State Park. In accordance with the intention of the purchase, DCR entered into a 30-year renewable lease with Amherst County for the purpose of operating a public recreation and river access area (Chapters 36 and 282 of the 1998 Acts of Assembly).

According to the Department of Treasury and Bond Counsel, conveyance of the property is not in contradiction with restrictions surrounding the use of General Obligation Bond proceeds as long as the use of the land is consistent with the intent of the bond funding. For this project, that means that the land must remain open to the public for recreational use. If the locality is found to be in violation of these terms, title to the land would return to the Commonwealth.

9. Specific Agency or Political Subdivisions Affected: Department of Conservation and Recreation, Department of General Services, Department of Treasury and Bond Counsel, Amherst County.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 2/16/2012