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HOUSE BILL NO. 1150

Offered January 16, 2012

A BILL to amend and reenact § 15.2-2303.1:1 of the Code of Virginia, relating to cash proffers.

Patron—Dudenhefer

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-2303.1:1 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-2303.1:1. (Expires July 1, 2015) When certain cash proffers collected or accepted.

A. Notwithstanding the provisions of any cash proffer requested, offered, or accepted pursuant to § 15.2-2298, 15.2-2303, or 15.2-2303.1 for residential construction on a per-dwelling unit or per-home basis, cash payment made pursuant to such a cash proffer shall be collected or accepted by any locality only after completion of the final inspection and prior to the time of the issuance of any certificate of occupancy for the subject property.

B. ~~In addition to any other relief provided, the court may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in an action successfully challenging an ordinance, administrative or other action as being in conflict with this section. Subsection A shall not apply to cash proffers agreed upon prior to July 1, 2010. Cash proffers agreed upon prior to July 1, 2010, shall be collected at the time of building permit issuance or at such other time as agreed upon by the parties.~~

C. The provisions of this section shall expire on July 1, 2015.

INTRODUCED

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