

16104702D

**SENATE BILL NO. 389****AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on General Laws and Technology  
on January 25, 2016)

(Patron Prior to Substitute—Senator Surovell)

*A BILL to amend the Code of Virginia by adding in Chapter 1 of Title 15.2 a section numbered 15.2-110, relating to local permitting or licensure; requiring consent of homeowners' association prohibited.*

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Chapter 1 of Title 15.2 a section numbered 15.2-110 as follows:**

***§ 15.2-110. Authority to require approval by common interest community association.***

*No locality shall require, prior to the issuance of any permit, certificate, or license, including a building permit or a license for a business, profession, or child care facility, that the governing board of an association subject to the Condominium Act (§ 55-79.39 et seq.) or the Property Owners' Association Act (§ 55-508 et seq.) consent to the activity for which the permit, certificate, or license is sought. The provisions of this section shall not be construed to affect the condominium instrument of any condominium or the declaration of any property owners' association.*