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SENATE BILL NO. 1265

Offered January 11, 2017

Prefiled January 10, 2017

A *BILL to amend and reenact §§ 2.2-1136 and 2.2-1147 of the Code of Virginia, relating to the Department of General Services; maintenance of property records; notification when deed, lease, or other agreement to terminate.*

Patron—Chafin

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-1136 and 2.2-1147 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-1136. Review of easements; maintenance of real property records; notification when deed, lease or other agreement for branch office to terminate.

A. The Department shall review all deeds, leases and contractual agreements with utilities to serve state institutions or agencies that require the approval of the Governor, as well as all easements and rights-of-way granted by institutions and agencies to public and private utilities.

B. The Department shall be responsible for the maintenance of ~~real property records of all state departments, agencies and institutions records relating to property as defined in § 2.2-1147 and any other real property used or occupied by license, permit, or other agreement by any state department, agency, or institution, except records of real property relating to~~ (i) real estate or rights-of-way acquired by the Department of Transportation for the construction of highways; ~~and;~~ (ii) ungranted shores of the sea, marsh, and meadowlands as defined in § 28.2-1500; or (iii) real estate or rights-of-way acquired by the Department of Rail and Public Transportation for the construction of railway lines or rail or public transportation facilities or the retention of rail corridors for public purposes. The Department may have such boundary, topographic, and other maps prepared as may be necessary. ~~In addition, the~~

C. ~~The Department shall develop the criteria for and conduct an annual inventory of all real property, as defined in § 2.2-1147, owned by state departments, agencies and institutions by January 1, 2012, and update the inventory at least annually thereafter referred to in subsection B. Such inventory with respect to owned property shall be reviewed by the Department in developing recommendations pursuant to subsection A of § 2.2-1153. All state departments, agencies, and institutions shall cooperate with the Department and provide such data and documents as may be required to develop and maintain the records and inventory required by this section.~~

~~C.~~ D. The Department shall make the inventory referred to in subsection ~~B~~ C available on the Department's website. The description of the inventory shall include parcel identification consistent with national spatial data standards in addition to a street address as available and reported to the Department by departments, agencies, and institutions ~~and shall include the date upon which the use or occupancy, if used or occupied by lease, license, permit, or other agreement, of the inventoried property is to terminate pursuant to the lease, license, permit, or other agreement therefor.~~

E. ~~Whenever the use or occupancy of an inventoried property is to terminate pursuant to the lease, license, permit, or other agreement and such property serves as a branch office of a state agency, the Department shall provide electronic notification to the member of the House of Delegates and the Senate of Virginia representing the locality in which the branch office is located at least three months prior to the date of termination. As used in this subsection, "branch office" means an office of a state agency other than its main office that assists the state agency in carrying out its statutory mission, including providing access to government services and programs.~~

§ 2.2-1147. Definitions.

As used in §§ ~~2.2-1147.4~~ 2.2-1136 through 2.2-1156, unless the context requires a different meaning: "Institutions" includes, but is not limited to, any corporation owned by the Commonwealth and subject to the control of the General Assembly.

"Property" means an interest in land and any improvements thereon, *including the privileges and appurtenances of every kind belonging to the land*, held by the Commonwealth and under the control of or occupied by any of its departments, agencies, or institutions but does not include (i) real estate or rights-of-way acquired by the Department of Transportation for the construction of highways; (ii) ungranted shores of the sea, marsh, and meadowlands as defined in § 28.2-1500; or (iii) real estate or rights-of-way acquired by the Department of Rail and Public Transportation for the construction of railway lines or rail or public transportation facilities or the retention of rail corridors for public purposes.

INTRODUCED

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59 "Recommend," "recommended," or "recommendation," when used with reference to a
60 recommendation by the Department of General Services to the Governor, means to advise either for or
61 against a proposed action.