

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 15.2-6402 of the Code of Virginia, relating to regional industrial facility*
3 *authority.*

4 [H 1452]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 15.2-6402 of the Code of Virginia is amended and reenacted as follows:**8 **§ 15.2-6402. Procedure for creation of authorities.**

9 The governing bodies of any ~~three~~ *two* or more localities within the region, provided that *at least*
10 *two* or more of the localities are cities or counties or a combination thereof, may, in conformance with
11 the procedure set forth herein, create a regional industrial facility authority by adopting ordinances
12 proposing to create an authority which shall (i) set forth the name of the proposed regional industrial
13 facility authority (which shall include the words "industrial facility authority"); (ii) name the member
14 localities; (iii) contain findings that the economic growth and development of the locality and the
15 comfort, convenience and welfare of its citizens require the development of facilities and that joint
16 action through a regional industrial facility authority by the localities which are to be members of the
17 proposed authority will facilitate the development of the needed facilities; and (iv) authorize the
18 execution of an agreement establishing the respective rights and obligations of the member localities
19 with respect to the authority consistent with the provisions of this chapter. However, with regard to
20 Planning Districts 2, 3, 10, 11 and 12, the governing bodies of any two or more localities within the
21 region, provided that one or more of the localities is a city or county, may adopt such an ordinance.
22 Such ordinances shall be filed with the Secretary of the Commonwealth. Upon certification by the
23 Secretary of the Commonwealth that the ordinances required by this chapter have been filed and, upon
24 the basis of the facts set forth therein, satisfy such requirements, the proposed authority shall be and
25 constitute an authority for all of the purposes of this chapter, to be known and designated by the name
26 stated in the ordinances. Upon the issuance of such certificate, the authority shall be deemed to have
27 been lawfully and properly created and established and authorized to exercise its powers under this
28 chapter. Each authority created pursuant to this chapter is hereby created as a political subdivision of the
29 Commonwealth. At any time subsequent to the creation of an authority under this chapter, the
30 membership of the authority may, with the approval of the authority's board, be expanded to include any
31 locality within the region that would have been eligible to be an initial member of the authority. The
32 governing body of a locality seeking to become a member of an existing authority shall evidence its
33 intent to become a member by adopting an ordinance proposing to join the authority that conforms, to
34 the extent applicable, to the requirements for an ordinance set forth in clauses (i), (iii), and (iv) of this
35 section.

ENROLLED

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