

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 17.1-276 of the Code of Virginia, relating to the State Corporation*  
3 *Commission; exemption from fees for remote access to local land records.*

4 [H 1775]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 17.1-276 of the Code of Virginia is amended and reenacted as follows:**8 **§ 17.1-276. Fee allowed for providing secure remote access to land records.**

9 A. A clerk of the circuit court who provides secure remote access to land records pursuant to  
10 § 17.1-294 may charge a fee as provided in this section. The fee shall be paid to the clerk's office and  
11 deposited by the clerk into the clerk's nonreverting local fund to be used to cover operational expenses  
12 as defined in § 17.1-295. The clerk may charge a flat clerk's fee to be assessed for each subscriber, as  
13 defined in § 17.1-295, in an amount not to exceed \$50 per month and a separate fee per image  
14 downloaded in an amount not to exceed the fee provided in subdivision A 8 of § 17.1-275. The clerk's  
15 fees shall be used to cover operational expenses as defined in § 17.1-295.

16 The Office of the Attorney General, the Division of Debt Collection, the Department of  
17 Transportation, the Virginia Outdoors Foundation, the Department of Historic Resources, the Department  
18 of General Services, the Department of Conservation and Recreation, the Department of Forestry, the  
19 Virginia Alcoholic Beverage Control Authority, ~~and~~ the Department of Rail and Public Transportation,  
20 *and the State Corporation Commission* shall be exempt from paying any fee for remote access to land  
21 records. If any clerk contracts with an outside vendor to provide remote access to land records to  
22 subscribers, such contract shall contain a provision exempting the Office of the Attorney General, the  
23 Division of Debt Collection, the Department of Transportation, the Virginia Outdoors Foundation, the  
24 Department of Historic Resources, the Department of General Services, the Department of Conservation  
25 and Recreation, the Department of Forestry, the Virginia Alcoholic Beverage Control Authority, ~~and~~ the  
26 Department of Rail and Public Transportation, *and the State Corporation Commission* from paying any  
27 access or subscription fee.

28 B. The circuit court clerk shall enter into an agreement with each person whom the clerk authorizes  
29 to have remote access, in accordance with the security standards established by the Virginia Information  
30 Technologies Agency. Any such agreement between a state agency or employee thereof acting in the  
31 employee's official capacity and the clerk or an outside vendor contracted by the clerk to provide remote  
32 access to land records to subscribers, or such an agreement between a state agency or employee thereof  
33 acting in the employee's official capacity and both the clerk and the outside vendor, shall not contain  
34 any provision requiring the state agency or employee thereof acting in the employee's official capacity to  
35 indemnify the clerk or the vendor. Any such agreement between a state agency and the clerk or an  
36 outside vendor shall provide that the state agency is required to monitor its employees' activity under  
37 such agreement to ensure compliance with its terms.

38 C. The clerk may establish a program under which the clerk assesses a reasonable convenience fee  
39 that shall not exceed \$2 per transaction for remote access to land records and a separate fee per image  
40 downloaded in an amount not to exceed the fee provided in subdivision A 8 of § 17.1-275.

41 D. Nothing herein shall be construed to require the use by the general public of the secure remote  
42 access to land records made available by the clerk, and such records may continue to be accessed in  
43 person in the clerk's office.

ENROLLED

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