

VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

CHAPTER 786

An Act to amend and reenact § 22.1-127 of the Code of Virginia, relating to condemnation of land for school purposes.

[H 632]

Approved April 11, 1994

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-127 of the Code of Virginia is amended and reenacted as follows:

§ 22.1-127. Condemnation of land for school purposes; right of entry; location of school outside boundaries of school division.

A school board shall have the power to exercise the right of eminent domain and may condemn land or other property or any interest or estate therein, including dwellings, yards, gardens or orchards, necessary for public school purposes pursuant to the provisions of Chapter 1.1 (§ 25-46.1 et seq.) of Title 25 *and in the manner provided by law for the Commonwealth Transportation Commissioner in Article 7 (§ 33.1-89 et. seq.) of Chapter 1 of Title 33.1.* To determine the suitability of the land for school purposes, a school board shall have the same right of entry under the same conditions as ~~the Commonwealth Transportation Commissioner under § 33.1-94~~ a county, city, or town pursuant to § 25-232.1. A school board shall have no authority to locate any school which was not begun prior to January 1, 1978, on property outside the boundaries of the school division unless the school board first obtains the approval of the governing body of the county, city or town in which a proposed school will be located.