

LD5970252

**HOUSE BILL NO. 2541**

House Amendments in [ ] — February 6, 1995

*A BILL to amend and reenact § 2.1-505 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 23-4.01, relating to transfer of property controlled by certain institutions of higher education.*

Patrons—Grayson, Abbitt, Almand, Armstrong, Ball, Barlow, Behm, Bennett, Bloxom, Brickley, Callahan, Christian, Clement, Cohen, Connally, Cooper, Copeland, Councill, Cranwell, Crittenden, Croshaw, Crouch, Cunningham, Darner, Davies, DeBoer, Deeds, Diamonstein, Dickinson, Dillard, Fisher, Forbes, Hall, Hamilton, Hargrove, Harris, Heilig, Hull, Ingram, Jackson, Johnson, Jones, D.C., Jones, J.C., Keating, May, Mayer, Melvin, Mims, Moore, Morgan, Moss, Murphy, Nelms, Parrish, Phillips, Plum, Puller, Reynolds, Rhodes, Robinson, Scott, Shuler, Spruill, Stump, Thomas, Van Landingham, Van Yahres, Wardrup, Watkins and Woodrum; Senators: Andrews, Barry, Cross, Gartlan, Hawkins, Holland, C.A., Houck, Howell, Lambert, Lucas, Marsh, Marye, Maxwell, Miller, Y.B., Nolen, Norment, Reasor, Saslaw, Schewel, Waddell and Walker

Referred to Committee on General Laws

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

**1. That § 2.1-505 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 23-4.01 as follows:**

§ 2.1-505. State agencies and institutions to notify Department of property not used or required; criteria.

A. Whenever any department, agency or institution of state government shall possess or have under its control state-owned property which is not being used or is not required for the programs of such department, agency or institution, it shall so notify the Department of General Services through its Division of Engineering and Buildings. The Department of General Services shall periodically inquire of all departments, agencies, or institutions as to the current and proposed use of all state-owned property under their control to determine whether any such property should be declared surplus to the needs of the Commonwealth. The Department shall then determine whether or not such property, including property in its possession and control, is surplus. Until permanent disposition of such property determined to be surplus is effected, the property shall continue to be maintained by the department, agency or institution possessing or controlling such property, unless upon the recommendation of the Department, the Governor authorizes the transfer of such property to the possession or control of the Department. In this event, the department, agency or institution formerly possessing or controlling such property shall have no further interest therein.

B. The Department shall establish criteria for ascertaining whether property under the control of a department, agency or institution should be classified as "surplus" to its current or proposed needs.

C. *Notwithstanding the provisions of subsection A of this section, no state-owned property which is possessed or controlled by a college founded in 1693, regardless of whether such property has been declared surplus property pursuant to this section, shall be transferred or disposed of without the approval of the board of visitors of such college by a two-thirds vote of all board members at a regularly scheduled board meeting. The General Assembly [ ~~must~~ shall ] also approve such disposal or transfer.*

§ 23-4.01. *Approval for transfer of property.*

*No state-owned property which is possessed or controlled by a college founded in 1693, regardless of whether such property has been declared surplus property pursuant to § 2.1-505, shall be transferred or disposed of without the approval of the board of visitors of such college by a two-thirds vote of all board members at a regularly scheduled board meeting. The General Assembly [ ~~must~~ shall ] also approve such disposal or transfer.*

ENGROSSED

HB2541E