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HOUSE BILL NO. 837**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on Education and Health
on February 29, 1996)

(Patron Prior to Substitute—Delegate Callahan)

A BILL to amend the Code of Virginia by adding a section numbered 23-91.29:1, relating to the creation of university corporations by George Mason University.

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 23-91.29:1 as follows:**

§ 23-91.29:1. Creation of university corporations.

A. The board of visitors shall be authorized to create, in whole or in part, own, or otherwise control corporations, partnerships, or other legal entities whose activities will promote the operations and mission of the University. The board of visitors may enter into contracts with such corporations, partnerships, or legal entities and may authorize officers and employees of the University to execute and administer the contracts. The board of directors of any such corporation, partnership or other legal entity shall serve at the pleasure of the board of visitors of the University.

B. Any corporation, partnership, or other legal entity so created by this section shall not be deemed to be a state or governmental agency, advisory agency, public body or agency or instrumentality for purposes of Chapters 10 (§ 2.1-110 et seq.) and 26 (§ 2.1-377 et seq.) of Title 2.1, Chapter 7 (§ 11-35 et seq.) of Title 11, and Chapter 1 (§ 51.1-124.1 et seq.) of Title 51.1. However, any corporation, partnership or legal entity so created by this section shall be deemed to be a public body, agency or instrumentality for the purposes of Chapters 21 (§ 2.1-340 et seq.) and 40.1 (§ 2.1-639.1 et seq.) of Title 2.1. The Auditor of Public Accounts, or his legally authorized representatives, shall annually audit the financial accounts of such corporations, partnerships, or legal entities.

C. Corporations, partnerships, or other legal entities created pursuant to this section shall be deemed to be sole source providers under the Virginia Procurement Act (§ 11-35 et seq.) for any contracts with or assigned by the University. The board of visitors shall ensure, however, that such corporations, partnerships or other legal entities provide opportunities for competition.

D. This section shall expire on July 1, 2000.