

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 15.2-1500 of the Code of Virginia, relating to organization of local*
3 *government.*

4
5 Approved

[H 335]

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

7 **1. That § 15.2-1500 of the Code of Virginia is amended and reenacted as follows:**

8 § 15.2-1500. Organization of local government.

9 Every locality shall provide for all the governmental functions of the locality, including, without
10 limitation, the organization of all departments, *offices, boards, commissions and agencies* of government,
11 *and the organizational structure thereof*, which are necessary and the employment of the officers and
12 other employees needed to carry out the functions of government. *Notwithstanding any other provision*
13 *of law, general or special, no locality shall establish any department, office, board, commission, agency*
14 *or other governmental division or entity which has authority to offer telecommunications equipment,*
15 *infrastructure, other than pole or tower attachments including antennas or conduit occupancy, or*
16 *services, other than intragovernmental radio dispatch or paging systems shared by adjoining localities,*
17 *for sale or lease to any person or entity other than (i) such locality's departments, offices, boards,*
18 *commissions, agencies or other governmental divisions or entities or (ii) an adjoining locality's*
19 *departments, offices, boards, commissions, agencies or other governmental divisions or entities, so long*
20 *as any charges for such telecommunications equipment, infrastructure and services do not exceed the*
21 *cost to the providing locality of providing such equipment, infrastructure or services. However, any town*
22 *which is located adjacent to Exit 17 on Interstate 81 and which offered telecommunications services to*
23 *the public on January 1, 1998, is hereby authorized to continue to offer such telecommunications*
24 *services, but shall not acquire by eminent domain the facilities or other property of any telephone*
25 *company or cable operator. Any locality may sell any telecommunications infrastructure, including*
26 *related equipment, which such locality had constructed prior to September 1, 1998, and such locality*
27 *may receive from the purchaser or purchasers, as full or partial consideration for the sale of such*
28 *infrastructure, communications services to be used solely for internal use of the locality. Any locality*
29 *which sells such infrastructure, including related equipment, may, at its option, exclude the incumbent*
30 *local exchange carrier from the bid or other sale process.*

31 **2. That the provisions of this act shall expire on July 1, 2000.**

ENROLLED

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