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HOUSE BILL NO. 2126

House Amendments in [] — January 29, 1999

A BILL to amend and reenact § 29.1-327 of the Code of Virginia, relating to telephone sales of hunting and fishing licenses.

Patrons—Abbitt, Phillips and Thomas

Referred to Committee on Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:**1. That § 29.1-327 of the Code of Virginia is amended and reenacted as follows:**

§ 29.1-327. Agents for sale of licenses and permits; telephone sales.

A. The Board shall have authority to appoint agents in counties, cities and towns for the issuance and sale of any or all of the permits and licenses provided for in this title. Those agents appointed shall be in addition to the clerks of the courts designated by § 29.1-323 and shall be chosen so as to best serve the public from the standpoint of geographic location and method of operation. Such agents shall be subject to the laws and the rules and regulations of the Board covering the issuance and sale of licenses and permits. Rules and regulations promulgated by the Board shall be designed to ensure that agents provide adequate service to the public and shall include provisions for removing agents not performing their duties properly. Before an agent's appointment becomes effective, the agent shall be bonded by a surety company entitled to do business in this Commonwealth, in the penalty of \$1,000, or such additional amount as the Board may require, payable to the Commonwealth and conditioned upon the faithful performance of the agent's duties.

At least annually, or at such intervals as the Board may decide to be proper, the Board shall informally investigate the performance of agents appointed pursuant to this section to determine whether such agents are performing their duties in the public interest as provided by law and shall take any action deemed necessary to provide the best service in the public interest.

B. The Board may make and enter [into agency] contracts [~~to~~ whereby the agent may] sell hunting and fishing licenses, issued under this title, by telephone. The contract shall establish the cost the agent may charge and receive per transaction which shall be in addition to the actual cost of the license sold during the transaction. A telephone agent shall not receive any additional fee per license sold during a telephone transaction nor shall he retain as compensation the fee provided for in § 29.1-332. The sale of one or more licenses to one applicant during one telephone call shall constitute a single transaction. A telephone agent shall follow the rules and regulations established by the Board that apply to other license agents, if such requirements are not provided for in the contract.

ENGROSSED

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