

2005 SESSION

INTRODUCED

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SENATE BILL NO. 1189

Offered January 12, 2005

Prefiled January 12, 2005

A BILL to amend and reenact § 15.2-6302 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 15.2-6314.1, relating to development of former federal areas and exempting certain authorities from provisions of the Personnel Act and the Procurement Act.

Patron—Locke

Referred to Committee on Local Government

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-6302 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding a section numbered 15.2-6314.1 as follows:

§ 15.2-6302. Establishment of development authorities; proclamation by Governor.

There is hereby created with respect to every former federal area a political subdivision of the Commonwealth, with such public and corporate powers as are set forth in this chapter. Each such authority shall be designated as the Development Authority (with a name chosen by the Governor descriptive of the area in which the property is located); however, no authority shall exercise any power or transact any business hereunder unless or until the Governor upon receipt of a duly certified resolution of the governing body of each of the localities within the area of operation of an authority requesting such action, shall proclaim that a former federal area exists with respect to which an authority should function under the terms of this chapter. Any such authority for which such a proclamation has been issued may proceed to transact business and to exercise its powers hereunder at any time after the selection of the commissioners of the authority, as set forth in § 15.2-6304.

Alternatively, the governing body of a locality may by ordinance or resolution, or the governing bodies of two or more localities may by concurrent ordinances or resolutions or by agreement, create the development authority. The ordinance, resolution or agreement creating the authority shall not be adopted or approved until a public hearing has been held on the question of its adoption or approval.

In any suit, action or proceeding involving the validity or enforcement of or relating to any contract of or action by the authority, the authority shall be conclusively presumed to have been established and authorized to transact business and exercise its powers hereunder upon proof of the action of the Governor in issuing a proclamation with reference to such authority and the designation of its name by the Governor, which descriptive name can be altered by the authority as may be deemed expedient.

§ 15.2-6314.1. Exemptions.

A development authority created under this chapter shall be exempt from the provisions of the Virginia Personnel Act (§ 2.2-2900 et seq.) and the Virginia Public Procurement Act (§ 2.2-4300 et seq.).

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