

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 15.2-5102 of the Code of Virginia, relating to authorities as political*
3 *subdivisions.*

4 [H 1521]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 15.2-5102 of the Code of Virginia is amended and reenacted as follows:**

8 § 15.2-5102. One or more localities may create authority.

9 A. The governing body of a locality may by ordinance or resolution, or the governing bodies of two
10 or more localities may by concurrent ordinances or resolutions or by agreement, create a water authority,
11 a sewer authority, a sewage disposal authority, a stormwater control authority, a refuse collection and
12 disposal authority, or any combination or parts thereof. The name of the authority shall contain the word
13 "authority." The authority shall be a public body politic and corporate *and a political subdivision of the*
14 *Commonwealth*. The ordinance, resolution or agreement creating the authority shall not be adopted or
15 approved until a public hearing has been held on the question of its adoption or approval, and after
16 approval at a referendum if one has been ordered pursuant to this chapter.

17 B. Any authority, or any subsidiary thereof, organized pursuant to this section to operate a refuse
18 collection and disposal system that, pursuant to statute, is specifically authorized to include in the system
19 (i) facilities for processing solid waste as a fuel and (ii) facilities for generating steam and electricity for
20 sale, shall not be subject to regulation under the Utilities Facilities Act (§ 56-265.1 et seq.), provided
21 that sales of electricity generated at such facilities are made only to a federal agency whose primary
22 responsibility is national defense and the energy is delivered directly from the generator to the
23 customer's facilities or to a public utility.

ENROLLED

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