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HOUSE BILL NO. 2273

Offered January 12, 2011

Prefiled January 12, 2011

A *BILL to amend the Code of Virginia by adding in Article 1 of Chapter 6 of Title 36 a section numbered 36-107.2, relating to the additional powers of local building officials.*

Patron—Keam

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1 of Chapter 6 of Title 36 a section numbered 36-107.2 as follows:

§ 36-107.2. Additional powers of local building officials; unlicensed contractors.

A. A locality may, by ordinance, authorize the building department to designate certain building officials as sworn investigators, who shall have the authority to issue summonses for violations of the statutes and regulations of the Board for Contractors governing unlicensed activity by contractors. In the event a person issued such a summons fails or refuses to discontinue the unlawful acts or refuses to give a written promise to appear at the time and place specified in the summons, the designated building official may appear before a magistrate or other issuing authority having jurisdiction to obtain a criminal warrant pursuant to § 19.2-72.

B. All designated building officials are vested with the authority to (i) administer oaths or affirmations for the purpose of receiving complaints and conducting investigations of violations of Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1 or any regulation of the Board for Contractors relating to unlicensed activity by contractors; (ii) obtain, serve and execute any warrant, paper or process issued by any court or magistrate; and (iii) request and receive criminal history information under the provisions of § 19.2-389.

C. All designated building officials shall receive the training required by the Department of Criminal Justice Services for law-enforcement personnel before exercising such powers.

INTRODUCED

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