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1   **SENATE BILL NO. 1127**
2   Offered January 12, 2011
3   Prefiled January 11, 2011
4 *A BILL to amend and reenact § 56-575.3 of the Code of Virginia, relating to the Public-Private*
5 *Education Facilities and Infrastructure Act of 2002; review of proposals initiated by private entities.*
6

                              Patron—Stosch

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8   Referred to Committee on Commerce and Labor
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10   **Be it enacted by the General Assembly of Virginia:**
11 **1. That § 56-575.3 of the Code of Virginia is amended and reenacted as follows:**
12   § 56-575.3. Prerequisite for operation of a qualifying project.
13   A. Any private entity seeking authorization under this chapter to develop or operate a qualifying
14 project shall first obtain approval of the responsible public entity under § 56-575.4. Such private entity
15 may initiate the approval process by requesting approval pursuant to subsection A of § 56-575.4 or the
16 responsible public entity may request proposals or invite bids pursuant to subsection B of § 56-575.4.
17   B. Any facility, building, infrastructure or improvement included in a proposal as a part of a
18 qualifying project shall be identified specifically or conceptually.
19   C. Upon receipt by the responsible public entity of a proposal submitted by a private entity initiating
20 the approval process pursuant to subsection A of § 56-575.4, the responsible public entity shall
21 determine whether to accept such proposal for consideration in accordance with § 56-575.16. If the
22 responsible public entity determines not to accept for consideration the proposal submitted by the private
23 entity pursuant to subsection A of § 56-575.4, it shall return the proposal, together with all fees and
24 accompanying documentation, to the private entity.
25   D. The responsible public entity may reject any proposal initiated by a private entity pursuant to
26 subsection A of § 56-575.4 at any time. *If the responsible public entity rejects a proposal initiated by a*
27 *private entity that purports to develop specific cost savings, the rejection shall specify the basis for the*
28 *rejection.*