

# VIRGINIA ACTS OF ASSEMBLY -- 2015 SESSION

## CHAPTER 175

*An Act to amend and reenact § 62.1-132.6 of the Code of Virginia, relating to the Virginia Port Authority; exemptions from Public Procurement Act.*

[H 2019]

Approved March 16, 2015

**Be it enacted by the General Assembly of Virginia:**

**1. That § 62.1-132.6 of the Code of Virginia is amended and reenacted as follows:**

**§ 62.1-132.6. Powers not restrictive; exemptions from Public Procurement Act and the Virginia Personnel Act.**

A. The Authority shall have the power to perform any act or carry out any function not inconsistent with state law, whether included in the provisions of this chapter, which may be, or tend to be, useful in carrying out the provisions of this chapter. The provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq.) shall not apply to the Authority in the exercise of any of its powers in accordance with this chapter, provided the Authority implement, by policy or regulation adopted by the Board of Commissioners, procedures to ensure fairness and competitiveness in the procurement of goods and services and in the administration of its capital outlay program. This exemption shall be applicable only so long as such policies and procedures meeting the requirements remain in effect.

B. The provisions of Chapter 29 (§ 2.2-2900 et seq.) of Title 2.2 shall not apply to the Authority.

C. Additionally, the provisions of §§ 2.2-1124, 2.2-1131.1, 2.2-1136, 2.2-1149, 2.2-1150, and 2.2-1153; ~~2.2-1154~~, and *through* 2.2-1156 shall not apply to the Authority provided that (i) the Authority adopts and the Board approves *policies or* regulations governing the acquisition, lease, or sale of surplus and real property consistent with the provisions of the above-referenced sections; and (ii) any acquisition, lease, or sale of real property valued in excess of \$20 million shall be approved by the Governor.

D. Additionally, the provisions of §§ 2.2-1117 and 53.1-47 shall not apply to the Authority.

**2. That the Virginia Port Authority shall develop policies or adopt regulations to implement the provisions of this act by January 1, 2017.**

**3. Prior to January 1, 2017, the Virginia Port Authority may exercise the authority granted by this act subject to the approval of the Secretary of Transportation.**