

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 17.1-276 of the Code of Virginia, relating to remote access to land*
3 *records; indemnification.*

4 [H 1983]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 17.1-276 of the Code of Virginia is amended and reenacted as follows:**8 **§ 17.1-276. Fee allowed for providing secure remote access to land records.**

9 A. A clerk of the circuit court who provides secure remote access to land records pursuant to
10 § 17.1-294 may charge a fee as provided in this section. The fee shall be paid to the clerk's office and
11 deposited by the clerk into the clerk's nonreverting local fund to be used to cover operational expenses
12 as defined in § 17.1-295. The clerk may charge a flat clerk's fee to be assessed for each subscriber, as
13 defined in § 17.1-295, in an amount not to exceed \$50 per month and a separate fee per image
14 downloaded in an amount not to exceed the fee provided in subdivision A 8 of § 17.1-275. The clerk's
15 fees shall be used to cover operational expenses as defined in § 17.1-295. ~~The circuit court clerk shall~~
16 ~~enter into an agreement with each person whom the clerk authorizes to have remote access, in~~
17 ~~accordance with the security standards established by the Virginia Information Technologies Agency.~~

18 The Office of the Attorney General, the Division of Debt Collection, the Department of
19 Transportation, the Virginia Outdoors Foundation, and the Department of Rail and Public Transportation
20 shall be exempt from paying any fee for remote access to land records. If any clerk contracts with an
21 outside vendor to provide remote access to land records to subscribers, such contract shall contain a
22 provision exempting the Office of the Attorney General, the Division of Debt Collection, the Department
23 of Transportation, the Virginia Outdoors Foundation, and the Department of Rail and Public
24 Transportation from paying any access or subscription fee.

25 B. *The circuit court clerk shall enter into an agreement with each person whom the clerk authorizes*
26 *to have remote access, in accordance with the security standards established by the Virginia Information*
27 *Technologies Agency. Any such agreement between a state agency or employee thereof acting in the*
28 *employee's official capacity and the clerk or an outside vendor contracted by the clerk to provide remote*
29 *access to land records to subscribers, or such an agreement between a state agency or employee thereof*
30 *acting in the employee's official capacity and both the clerk and the outside vendor, shall not contain*
31 *any provision requiring the state agency or employee thereof acting in the employee's official capacity*
32 *to indemnify the clerk or the vendor.*

33 C. The clerk may establish a program under which the clerk assesses a reasonable convenience fee
34 that shall not exceed \$2 per transaction for remote access to land records and a separate fee per image
35 downloaded in an amount not to exceed the fee provided in subdivision A 8 of § 17.1-275.

36 ~~C.~~ D. Nothing herein shall be construed to require the use by the general public of the secure remote
37 access to land records made available by the clerk, and such records may continue to be accessed in
38 person in the clerk's office.

ENROLLED

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