

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

4 [H 2019]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 62.1-132.6 of the Code of Virginia is amended and reenacted as follows:**8 **§ 62.1-132.6. Powers not restrictive; exemptions from Public Procurement Act and the Virginia**
9 **Personnel Act.**

10 A. The Authority shall have the power to perform any act or carry out any function not inconsistent
11 with state law, whether included in the provisions of this chapter, which may be, or tend to be, useful in
12 carrying out the provisions of this chapter. The provisions of the Virginia Public Procurement Act
13 (§ 2.2-4300 et seq.) shall not apply to the Authority in the exercise of any of its powers in accordance
14 with this chapter, provided the Authority implement, by policy or regulation adopted by the Board of
15 Commissioners, procedures to ensure fairness and competitiveness in the procurement of goods and
16 services and in the administration of its capital outlay program. This exemption shall be applicable only
17 so long as such policies and procedures meeting the requirements remain in effect.

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

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

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

26 **2. That the Virginia Port Authority shall develop policies or adopt regulations to implement the**
27 **provisions of this act by January 1, 2017.**28 **3. Prior to January 1, 2017, the Virginia Port Authority may exercise the authority granted by**
29 **this act subject to the approval of the Secretary of Transportation.**

ENROLLED

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