

## 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; fee; exemption for certain state agencies.*

4 [H 2058]

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.

16 The Office of the Attorney General, the Division of Debt Collection, the Department of  
17 Transportation, the Virginia Outdoors Foundation, the Department of Historic Resources, *the Department*  
18 *of General Services, the Department of Conservation and Recreation, the Department of Forestry, the*  
19 *Virginia Alcoholic Beverage Control Authority, 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, the Department of Historic Resources, the*  
24 *Department of General Services, the Department of Conservation and Recreation, the Department of*  
25 *Forestry, the Virginia Alcoholic Beverage Control Authority, and the Department of Rail and Public*  
26 *Transportation from paying any access or subscription fee.*

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

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

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

ENROLLED

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