CHAPTER 367

An Act to amend and reenact § 8, as amended, of Chapter 380 of the Acts of Assembly of 1980, relating to the Capital Region Airport Commission.

[H 137]

Approved April 11, 2022

Be it enacted by the General Assembly of Virginia:

1. That § 8, as amended, of Chapter 380 of the Acts of Assembly of 1980 is amended and reenacted as follows:

§ 8. Powers.

The Commission is hereby granted, has and may exercise all powers necessary or appropriate to carry out and effectuate the purposes of this act, including, for purposes of illustration, the following:

1. To sue and be sued in its own name;

2. To have perpetual succession;

3. To adopt a corporate seal and alter the same at its pleasure;

4. To maintain offices at such places as it may designate;

5. To acquire, establish, construct, enlarge, improve, maintain, equip, operate and regulate any airports, air landing fields, structures, air navigation facilities and other property incidental thereto within the territorial limits of the participating political subdivisions;

6. To construct, install, maintain and operate facilities for the servicing and storage of aircraft and for the accommodation of cargo, freight, mail, express, etc., and for the accommodation and comfort of air travelers, and for lease or sale to industrial or commercial users, and to purchase and sell equipment and supplies as an incident to the operation of its airport facilities;

7. To grant to others the privilege to operate for profit concessions, leases and franchises, including but not limited to the sale of airplanes, fuel, parts and equipment, the accommodation and comfort of persons using its facilities and the providing of ground transportation and parking facilities for such persons, and such concessions, leases, and franchises shall be exclusive or limited when it is necessary to further the public safety, improve the quality of service, avoid duplication of service, or conserve airport property and the airport's resources;

8. To determine fees, rates, and charges for the use of its facilities;

9. To apply for and accept gifts, or grants of money or gifts, grants, or loans of other property or other financial assistance from the United States of America and agencies and instrumentalities thereof, this Commonwealth and political subdivisions, agencies and instrumentalities thereof, or any other person or entity, for or in aid of the construction, acquisition, ownership, operation, maintenance or repair of the Commission's facilities or for the payment of principal of any indebtedness of the Commission, interest thereon or other cost incident thereto, and to this end the Commission shall have the power to render such services, comply with such conditions and execute such agreements, and legal instruments, as may be necessary, convenient or desirable or imposed as a condition to such financial aid;

10. To establish, operate and maintain a foreign trade zone and otherwise to expedite and encourage foreign commerce;

11. To appoint, employ or engage such officers, employees, architects, engineers, attorneys, accountants, financial advisors, investment bankers, and other advisors, consultants, and agents as may be necessary or appropriate, and to fix their duties and compensation;

12. To establish personnel rules;

13. To own, purchase, lease, obtain options upon, acquire by gift, grant, or bequest or otherwise acquire any property, real or personal, or any interest therein, and in connection therewith to assume or take subject to any indebtedness secured by such property;

14. Subject to the provisions of the Deed and Agreement among the City of Richmond, the County of Henrico, and the Commission, made as of January one, nineteen hundred seventy-six, as it may be amended, to sell, lease, grant options upon, exchange, transfer, assign, or otherwise dispose of any property, real or personal, or any interest therein, if such disposition is in the public interest and in furtherance of the purposes of this act or if such property is not necessary for the purposes of the Commission;

15. To make and enter into all contracts, leases, and arrangements necessary or incidental to the exercise of its powers, including contracts for the management or operation of all or any part of its facilities;

16. To borrow money, as hereinafter provided and, provided such borrowing shall mature within one year, to borrow money for the purpose of meeting casual deficits in its revenues;

17. To adopt, amend, and repeal rules and regulations for the use, maintenance, and operation of its facilities and governing the conduct of persons and organizations using its facilities and to enforce such rules and regulations and all other rules, regulations, ordinances, and statutes relating to its facilities, all as hereinafter provided;

18. To pay pensions and establish pension plans, pension trusts, and other compensation plans for any of its employees;

19. To purchase and maintain insurance on behalf of *and to indemnify* any person who is or was a Commissioner, officer, employee, or agent of the Commission against any liability asserted against him or incurred by him in any such capacity or arising out of his status as such; ~~and~~

20. *To make charitable donations and provide financial assistance, personnel assistance, and other assistance to educational and charitable entities, organizations, programs, and other endeavors designed to foster an appreciation by the public of the importance of aviation, assist the public in aviation travel, or help develop and educate the next generation of aviation professionals in the Commonwealth. The Commission may form or support one or more independent foundations for such purposes. Some or all of the directors of any such foundation may be appointed by the Commission from among the Commission staff, Commission members, aviation and travel hospitality sector professionals, or members of the public. Any such foundation shall be organized to qualify under § 501(c)(3) of the Internal Revenue Code and shall not be deemed to be a public body or political subdivision of the Commonwealth or subject to any requirements thereof, including the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia) or the Virginia Freedom of Information Act (§ 2.2-3700 et seq. of the Code of Virginia); and*

21. To do all things necessary or convenient to the purposes of this act.