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HOUSE BILL NO. 1208

Offered January 22, 1996

A BILL to amend and reenact § 2.1-504.1 of the Code of Virginia, relating to acceptance of gifts or devises of real property by the Commonwealth.

Patrons—Katzen, Bryant, Ingram, Nelms, Sherwood and Weatherholtz

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:**1. That § 2.1-504.2 of the Code of Virginia is amended and reenacted as follows:**

§ 2.1-504.2. Department to review proposed acquisitions of real property; approval by the Governor; exceptions.

Notwithstanding any provision of law to the contrary, no state department, agency or institution shall acquire real property by gift, lease, purchase or any other means whatsoever without following guidelines promulgated by the Department of General Services and obtaining the prior approval of the Governor. The Department of General Services shall review every proposed acquisition of real property by gift, lease, purchase or any other means whatsoever by any department, agency or institution of the Commonwealth and recommend either approval or disapproval of such transactions to the Governor based on cost, demonstrated need, and compliance with the aforesaid guidelines. *The Department of General Services shall not recommend and the Governor shall not approve the acquisition of real property by gift or devise if the grantor or devisee of such property has not provided funding for, or a means that will accomplish, maintenance and upkeep of the property.* The provisions of this section shall not apply to (i) the acquisition of real property ~~through means other than gift or devise~~ for open space ~~preservations~~ *preservation* pursuant to the purposes of § 10.1-1800 and subdivision A 4 of § 10.1-2204, if it does not require as a condition of acceptance, an appropriation of any state funds for the continued maintenance of such property, ~~for~~ (ii) the acquisition through the temporary lease or donation of real property for a period of six months or less duration, or ~~for~~ (iii) the construction, improvement or maintenance of highways and transportation facilities and purposes incidental thereto by the Department of Transportation; however, acquisitions of real property by the Department of Transportation for office space, district offices, residencies, area headquarters, and correctional facilities shall be subject to such review and approval.

INTRODUCED

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