

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 2.2-4311.3, relating to Virginia Public*  
3 *Procurement Act; contract terms inconsistent with Virginia law.*

4 [H 2150]  
5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding a section numbered 2.2-4311.3 as follows:**

8 **§ 2.2-4311.3. Compliance with state law; contract terms inconsistent with state law.**

9 *A. As used in this section, "information technology goods and services" means communications,*  
10 *telecommunications, automated data processing, applications, databases, data networks, management*  
11 *information systems, and other related goods and services.*

12 *B. No term or provision in any public contract for the acquisition of information technology goods or*  
13 *services shall be valid or enforceable to the extent that it is in conflict with Virginia law. A public contract*  
14 *containing such a term or provision shall otherwise remain enforceable.*

15 *C. Any term or provision in such a public contract that (i) makes the public contract subject to, governed*  
16 *by, or interpreted under the laws of another state or country or (ii) requires or permits any litigation or other*  
17 *dispute resolution proceeding arising from the public contract to be conducted in another state or country*  
18 *shall be void. Such public contract shall instead be deemed to provide for the application of the law of the*  
19 *Commonwealth of Virginia, without regard to such contract's choice of law provisions, and to provide for*  
20 *jurisdiction in the courts of the Commonwealth.*

21 *D. The provisions of this section shall only apply to a county, city, town, political subdivision, or public*  
22 *institution of higher education, or to a public body listed as an independent agency in the appropriation act,*  
23 *if its governing body has adopted the provisions of this section as part of its procurement policies and*  
24 *procedures.*

25 **2. That the provisions of this act shall apply to any public contract that becomes effective on or after**  
26 **July 1, 2025.**

ENROLLED

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