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1 **HOUSE BILL NO. 1148**

2 Offered January 14, 2026

3 Prefiled January 14, 2026

4 *A BILL to amend and reenact § 15.2-6601 of the Code of Virginia, relating to Middle Peninsula Chesapeake*
5 *Bay Public Access Authority; public purpose; submerged aquatic vegetation.*

6 Patron—Hodges

7 Referred to Committee on Counties, Cities and Towns

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That § 15.2-6601 of the Code of Virginia is amended and reenacted as follows:**10 **§ 15.2-6601. Creation; public purpose.**11 If any of the governing bodies of the Counties of Essex, Gloucester, King William, King and Queen,
12 Mathews, Middlesex, and the Towns of West Point, Tappahannock and Urbanna by resolution declare that
13 there is a need for a public access authority to be created and an operating agreement is developed for the
14 purpose of establishing or operating a public access authority for any such participating political subdivisions
15 and that they should unite in the formation of an authority to be known as the Middle Peninsula Chesapeake
16 Bay Public Access Authority (hereinafter the "Authority"), which shall thereupon exist for such participating
17 counties and town and shall exercise its powers and functions as prescribed herein. The region for which such
18 Authority shall exist shall be coterminous with the boundaries of the participating political subdivisions. The
19 Authority shall be charged with the following duties:20 1. Identify land, either owned by the Commonwealth or private holdings that can be secured for use by the
21 general public as a public access site;

22 2. Research and determine ownership of all identified sites;

23 3. Determine appropriate public use levels of identified access sites;

24 4. Develop appropriate mechanisms for transferring title of Commonwealth or private holdings to the
25 Authority;

26 5. Develop appropriate acquisition and site management plans for public access usage;

27 6. Determine which holdings should be sold to advance the mission of the Authority;

28 7. Receive and expend public funds and private donations in order to restore or create tidal wetlands *or*
29 *submerged aquatic vegetation* within the region for which the Authority exists; provided that any tidal
30 mitigation credits *or* *submerged aquatic vegetation credits* resulting from such restoration or creation projects
31 shall be held by the Authority for the benefit and use of participating political subdivisions and shall not be
32 sold or conveyed to any (i) private party by the Authority or *any participating* (ii) *nonparticipating* political
33 subdivision *without the concurrence of the Marine Resources Commission*;34 8. Receive and expend public funds and private donations and apply for permits in order to perform
35 dredging projects on waterways and construct facilities and infrastructure within the region for which the
36 Authority exists. Such projects shall enhance recreational or commercial public access; and37 9. Perform other duties required to fulfill the mission of the Middle Peninsula Chesapeake Bay Public
38 Access Authority.39 In any suit, action, or proceeding involving the validity or enforcement of or relating to any contract of the
40 Middle Peninsula Chesapeake Bay Public Access Authority, the Authority shall be deemed to have been
41 created as a body corporate and to have been established and authorized to transact business and exercise its
42 powers hereunder upon proof of the adoption of a resolution as aforesaid by the participating political
43 subdivisions declaring that there is a need for such Authority. A copy of such resolution duly certified by the
44 clerks of the counties and towns by which it is adopted shall be admissible as evidence in any suit, action, or
45 proceeding. Any political subdivision of the Commonwealth is authorized to join such Authority pursuant to
46 the terms and conditions of this act.47 The ownership and operation by the Authority of any public access sites and related facilities and the
48 exercise of powers conferred by this act are proper and essential governmental functions and public purposes
49 and matters of public necessity for which public moneys may be spent and private property acquired. The
50 Authority is a regional entity of government by or on behalf of which debt may be contracted by or on behalf
51 of any county or town pursuant to Section 10(a) of Article VII of the Constitution of Virginia.

INTRODUCED

HB1148