

2026 SESSION

INTRODUCED

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SB484

SENATE BILL NO. 484

Offered January 14, 2026

Prefiled January 13, 2026

1 A BILL to amend and reenact §§ 1-508, 1-509, 2.2-106, 2.2-1100, 2.2-1101, 2.2-1102, 2.2-1106, 2.2-1108,
2 2.2-1115, 2.2-1119, 2.2-1124, 2.2-1125, 2.2-1131.1, 2.2-1133, 2.2-1136, 2.2-1138, 2.2-1139, 2.2-1141
3 through 2.2-1144, 2.2-1146, 2.2-1147, 2.2-1150.2, 2.2-1150.3, 2.2-1151, 2.2-1153, 2.2-1155, 2.2-1156,
4 2.2-1157, 2.2-1162, 2.2-1163, 2.2-1164, 2.2-1168, 2.2-1172 through 2.2-1180, 2.2-1183, 2.2-1516,
5 2.2-1517, 2.2-1519, 2.2-4303, 2.2-4311.2, 10.1-112, 10.1-659, 27-5.5, 30-194, 30-280, 30-385, 36-99.3,
6 and 36-139.1 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 24 of Title
7 2.2 an article numbered 31, consisting of a section numbered 2.2-2499.9, relating to Department of
8 General Services; General Services Board established; Chief Administrator.

12 Patron—Deeds

13 Referred to Committee on General Laws and Technology

16 Be it enacted by the General Assembly of Virginia:

17 1. That §§ 1-508, 1-509, 2.2-106, 2.2-1100, 2.2-1101, 2.2-1102, 2.2-1106, 2.2-1108, 2.2-1115, 2.2-1119,
18 2.2-1124, 2.2-1125, 2.2-1131.1, 2.2-1133, 2.2-1136, 2.2-1138, 2.2-1139, 2.2-1141 through 2.2-1144,
19 2.2-1146, 2.2-1147, 2.2-1150.2, 2.2-1150.3, 2.2-1151, 2.2-1153, 2.2-1155, 2.2-1156, 2.2-1157, 2.2-1162,
20 2.2-1163, 2.2-1164, 2.2-1168, 2.2-1172 through 2.2-1180, 2.2-1183, 2.2-1516, 2.2-1517, 2.2-1519, 2.2-4303,
21 2.2-4311.2, 10.1-112, 10.1-659, 27-5.5, 30-194, 30-280, 30-385, 36-99.3, and 36-139.1 of the Code of
22 Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Chapter
23 24 of Title 2.2 an article numbered 31, consisting of a section numbered 2.2-2499.9, as follows:

24 § 1-508. Chief Administrator of the Department of General Services to have available flags of the
25 Commonwealth for sale.

26 The Director Chief Administrator of the Department of General Services shall have available at all times
27 flags of the Commonwealth, to be offered for sale to the public in such manner as the Director Chief
28 Administrator may determine.

29 Such flags shall be of good quality, shall conform to the specifications prescribed in § 1-506, shall be
30 offered in the various sizes prescribed by the Governor pursuant to § 1-507, and shall be purchased in
31 compliance with the provisions of § 2.2-4323.1.

32 The prices to be charged for such flags shall be at cost as determined by the Director Chief Administrator.

33 § 1-509. When flag to be suspended over Capitol.

34 During the sessions of either house of the General Assembly the flag of the Commonwealth shall be kept
35 raised over the respective chambers of the Capitol, or other place of session, if practicable, as directed by the
36 Director Chief Administrator of the Department of General Services and the Chief of the Virginia Capitol
37 Police in consultation with the Clerk of the House of Delegates and the Clerk of the Senate.

38 § 2.2-106. Appointment of agency heads; disclosure of resumes; severance.

39 A. Notwithstanding any provision of law to the contrary, the Governor shall appoint the administrative
40 head of each agency of the executive branch of state government except the:

- 41 1. Executive Director of the Virginia Port Authority;
- 42 2. Executive Director of the State Council of Higher Education for Virginia;
- 43 3. Executive Director of the Department of Wildlife Resources;
- 44 4. Executive Director of the Jamestown-Yorktown Foundation;
- 45 5. Executive Director of the Motor Vehicle Dealer Board;
- 46 6. Librarian of Virginia;
- 47 7. Administrator of the Commonwealth's Attorneys' Services Council;
- 48 8. Executive Director of the Virginia Housing Development Authority; and
- 49 9. Executive Director of the Board of Accountancy; and
- 50 10. Chief Administrator of the Department of General Services.

51 However, the manner of selection of those heads of agencies chosen as set forth in the Constitution of
52 Virginia shall continue without change. Each administrative head and Secretary appointed by the Governor
53 pursuant to this section shall (i) be subject to confirmation by the General Assembly, (ii) have the
54 professional qualifications prescribed by law, and (iii) serve at the pleasure of the Governor.

55 B. As part of the confirmation process for each administrative head and Secretary, the Secretary of the
56 Commonwealth shall provide copies of the resumes and statements of economic interests filed pursuant to
57 § 2.2-3117 to the chairs Chairs of the House of Delegates and Senate Committees on Privileges and
58 Elections. For appointments made before January 1, copies shall be provided to the chairs Chairs within 30

59 days of the appointment or by January 7 whichever time is earlier; and for appointments made after January 1
60 through the regular session of that year, copies shall be provided to the ~~chairs~~ Chairs within seven days of the
61 appointment. Each appointee shall be available for interviews by the Committees on Privileges and Elections
62 or other applicable standing committee. For the purposes of this section and § 2.2-107, there shall be a joint
63 subcommittee of the House of Delegates and Senate Committees on Privileges and Elections consisting of
64 five members of the House Committee and three members of the Senate Committee appointed by the
65 respective ~~chairs~~ Chairs of the committees to review the resumes and statements of economic interests of
66 gubernatorial appointees. The members of the House of Delegates shall be appointed in accordance with the
67 principles of proportional representation contained in the Rules of the House of Delegates. No appointment
68 confirmed by the General Assembly shall be subject to challenge by reason of a failure to comply with the
69 provisions of this subsection pertaining to the confirmation process.

70 C. For the purpose of this section, "agency" includes all administrative units established by law or by
71 executive order that are not (i) arms of the legislative or judicial branches of government; (ii) institutions of
72 higher education as classified under §§ 22.1-346, 23.1-1100, 23.1-3210, and 23.1-3216; (iii) regional
73 planning districts, regional transportation authorities or districts, or regional sanitation districts; and (iv)
74 assigned by law to other departments or agencies, not including assignments to secretaries under Article 7
75 (§ 2.2-215 et seq.) of Chapter 2 of this title.

76 D. The resumes and applications for appointment submitted by persons who are appointed by the
77 Governor pursuant to this section shall be available to the public upon request.

78 E. Severance benefits provided to any departing agency head, whether or not appointed by the Governor,
79 shall be publicly announced by the appointing authority prior to such departure.

80 **§ 2.2-1100. Creation of Department; appointment of Chief Administrator; duties.**

81 A. As used in this chapter, unless the context requires a different meaning:

82 "Board" means the General Services Board as established in § 2.2-2499.9.

83 "Chief Administrator" means the Chief Administrator of the Department.

84 "Department" means the Department of General Services.

85 B. There is created a Department of General Services (the Department), which shall be headed by a
86 Director appointed by the Governor to serve at his pleasure serve as the agency responsible for the
87 administration and enforcement of the provisions of this chapter and the rules and policies of the Board.

88 B. C. The Director of the Department Board shall appoint a Chief Administrator of the Department to
89 serve as the chief administrative officer of the Board who shall, under the direction and control of the
90 Governor Board, exercise the powers and perform the duties conferred or imposed upon him by law and
91 perform such other duties as may be required by the Governor Board. The Director Chief Administrator shall
92 be employed at the pleasure of the Board and shall be responsible for the overall supervision of the
93 Department's divisions, programs, and personnel. Under his direction, the Department shall serve as an
94 agency whose services are primarily for the support of other state agencies in carrying out their programs.
95 The head of each division shall, under the direction and control of the Director Chief Administrator, exercise
96 the powers and perform the duties conferred by this chapter as they pertain to his division and perform such
97 other duties as required by the Director Chief Administrator.

98 C. D. Whenever in this title and in the Code of Virginia, reference is made to a division, department, or
99 agency transferred to this Department, it shall mean the Department of General Services, through the division
100 to which the powers and duties of that division, department, or agency are assigned. Notwithstanding
101 anything in this section to the contrary, the Director Chief Administrator shall have the authority to create
102 new divisions within the Department and to assign or reassign the duties of the Department's divisions to
103 whatever divisions as may best perform them.

104 **§ 2.2-1101. Creation of internal service fund accounts.**

105 Upon written request of the Director of the Department Chief Administrator, the Joint Legislative Audit
106 and Review Commission may direct the Comptroller to establish internal service fund accounts on his books
107 and record the receipts and expenditures for appropriate functions of the Department. The Comptroller shall
108 provide the Department with working capital advances with which to finance these operations pursuant to
109 appropriations made by law. Charges for services rendered sufficient to offset costs involved in these
110 operations shall be established.

111 **§ 2.2-1102. Additional powers of Department.**

112 A. The Department shall have the following additional powers, all of which, with the approval of the
113 Director of the Department Chief Administrator, may be exercised by a division of the Department with
114 respect to matters assigned to that division:

115 1. Prescribe regulations necessary or incidental to the performance of duties or execution of powers
116 conferred under this chapter; and

117 2. Establish fee schedules that may be collectible from users when general fund appropriations are not
118 applicable to the services rendered.

119 B. All statewide contracts and agreements made and entered into by the Department for the purchase of
120 computers, software, supplies, and related peripheral equipment and services shall provide for the inclusion

121 of counties, cities, and towns in such contracts and agreements. For good cause shown, the Secretary of
 122 Administration may disapprove the inclusion from a specific contract or agreement.

123 C. The Department may operate or provide for the operation of hazardous waste management facilities.

124 **§ 2.2-1106. Consolidation of other laboratories.**

125 The ~~Director of the Department~~ *Chief Administrator* may take in and absorb within the Division any
 126 laboratory activity that is owned and operated by a political subdivision of the Commonwealth that will
 127 conform to the duties and responsibilities of the Division. Any costs that may accrue to the Commonwealth
 128 as a result of the consolidation shall be paid out of funds specifically appropriated for this purpose by the
 129 appropriation act.

130 **§ 2.2-1108. Disposal of certain other property.**

131 Personal property, including drugs, not subject to be disposed of under § 2.2-1107, ~~which that~~ has been
 132 submitted to the Division for analysis or examination and that has not been reclaimed by the agency
 133 submitting the property for analysis or examination, may be disposed of by the Division in accordance with
 134 this section if, after the expiration of 120 days after the receipt by the Division of the property, (i) the
 135 Director of the Division notifies the circuit court of the county or city from which the property was taken, in
 136 writing, that the analysis or examination has been completed and (ii) a report is given to the submitting
 137 agency that the property has not been reclaimed by the agency and the Division proposes to dispose of the
 138 property. The notice shall state the nature and quantity of the property, the location where seized, the name of
 139 the accused, if known, and the proposed method of disposing of the property. When the ownership of the
 140 property is known, a copy of the notice shall be sent simultaneously with the notice to the court to the owner,
 141 or, if any criminal charge is pending in any court relating to the property, the copy shall be sent to the accused
 142 at his last known address. Notice shall be by certified mail. The court, within ~~thirty~~ 30 days after receipt of
 143 the notice, may direct that the property be disposed of by the Division by an alternative method designed to
 144 preserve the property, at the expense of the agency submitting the property to the Division. If the court does
 145 not so direct within such ~~thirty-day~~ 30-day period, then the Division may dispose of the property by the
 146 method set out in the notice. Copies of the analysis report and notice shall be made a part of the record of any
 147 criminal prosecution. The report, if sworn to, shall be admissible as evidence to the same extent as the
 148 disposed of property would have been admissible.

149 **§ 2.2-1115. Execution of contracts; payment for purchases; violations.**

150 A. All contracts entered into by the Division shall be executed in the name of the Commonwealth.

151 B. All purchases made by or through the Division shall be paid for in the same manner and out of the
 152 same funds as if the purchase had not been made by or through it.

153 C. The Division shall maintain a system of accounting prescribed by the State Comptroller. All moneys
 154 collected by the Division shall be paid promptly into the state treasury and reported to the State Comptroller
 155 for appropriate credit.

156 D. The Comptroller shall not issue any warrant upon any voucher issued by any using agency covering the
 157 purchase of any material, equipment, or supplies, when such purchases are made in violation of any provision
 158 of this article.

159 E. Intentional violations of the centralized purchasing provisions of this article by any using agency,
 160 continued after notice from the ~~Governor~~ *Board* to desist, shall constitute malfeasance in office, and shall
 161 subject the officer responsible for violation to suspension or removal from office, as may be provided by law
 162 in other cases of malfeasance.

163 **§ 2.2-1119. Cases in which purchasing through Division not mandatory.**

164 A. Unless otherwise ~~ordered~~ directed by the ~~Governor~~ *Board*, the purchasing of materials, equipment,
 165 supplies, and nonprofessional services through the Division shall not be mandatory in the following cases:

166 1. Materials, equipment, and supplies incident to the performance of a contract for labor or for labor and
 167 materials;

168 2. Manuscripts, maps, audiovisual materials, books, pamphlets, and periodicals purchased for the use of
 169 The Library of Virginia or any other library in the Commonwealth supported in whole or in part by state
 170 funds;

171 3. Perishable articles, provided that no article except fresh vegetables, fish, eggs, or milk shall be
 172 considered perishable within the meaning of this subdivision, unless so classified by the Division;

173 4. Materials, equipment, and supplies needed by the Commonwealth Transportation Board; ~~however, this~~
 174 ~~exception may include, including~~ office stationery and supplies, office equipment, *and* janitorial equipment
 175 and supplies; *however, and* coal and fuel oil for heating purposes shall not be included except when
 176 authorized in writing by the Division;

177 5. Materials, equipment, and supplies needed by the Virginia Alcoholic Beverage Control Authority,
 178 including office stationery and supplies, office equipment, and janitorial equipment and supplies; however,
 179 coal and fuel oil for heating purposes shall not be included except when authorized in writing by the
 180 Division;

181 6. Binding and rebinding of the books and other literary materials of libraries operated by the
 182 Commonwealth or under its authority;

183 7. Printing of the records of the Supreme Court; and
184 8. Financial services, including without limitation, underwriters, financial advisors, investment advisors,
185 and banking services.

186 B. Telecommunications and information technology goods and services of every description shall be
187 procured as provided by § 2.2-2012.

188 **§ 2.2-1124. Disposition of surplus materials.**

189 A. For purposes of this section, "surplus materials" means personal property, including materials,
190 supplies, equipment, and recyclable items; ~~but does not include property as defined in § 2.2-1147 that is~~
191 ~~determined to be surplus~~. "Surplus materials" does not include (i) *property, as defined in § 2.2-1147, that is*
192 *determined to be surplus or (ii) finished products that a state hospital or training center operated by the*
193 *Department of Behavioral Health and Developmental Services sells for the benefit of individuals receiving*
194 *services in the state hospital or training center, provided that (i) most of the supplies, equipment, or*
195 *products have been donated to the state hospital or training center; (ii) the individuals in the state hospital*
196 *or training center have substantially altered the supplies, equipment, or products in the course of occupational*
197 *or other therapy; and (iii) (c) the substantial alterations have resulted in a finished product.*

198 B. The Department shall establish procedures for the disposition of surplus materials from departments,
199 divisions, institutions, and agencies of the Commonwealth. Such procedures shall:

200 1. Permit surplus materials to be transferred between or sold to departments, divisions, institutions, or
201 agencies of the Commonwealth;

202 2. Permit surplus materials to be sold to Virginia charitable corporations granted tax-exempt status under
203 § 501(c)(3) of the Internal Revenue Code and operating as clinics for the indigent and uninsured that are
204 organized for the delivery of primary health care services (i) as federally qualified health centers designated
205 by the Health Care Financing Administration or (ii) at a reduced or sliding fee scale or without charge;

206 3. Permit public sales or auctions, including online public auctions;

207 4. Permit surplus motor vehicles to be sold prior to public sale or auction to local social service
208 departments for the purpose of resale at cost to TANF recipients;

209 5. Permit surplus materials to be sold to Virginia charitable corporations granted tax-exempt status under
210 § 501(c)(3) of the Internal Revenue Code and operating as children's homes;

211 6. Permit donations to political subdivisions of the Commonwealth under the circumstances specified in
212 this section;

213 7. Permit other methods of disposal when (a) (i) the cost of the sale will exceed the potential revenue to be
214 derived therefrom or (b) (ii) the surplus material is not suitable for sale;

215 8. Permit any animal especially trained for police work to be sold at a price of \$1 to the handler who last
216 was in control of the animal. The agency or institution may allow the immediate survivor of any full-time
217 sworn law-enforcement officer who (i) is killed in the line of duty or (ii) dies in service and has at least 10
218 years of service to purchase the service animal at a price of \$1. Any such sale shall not be deemed a violation
219 of the State and Local Government Conflict of Interests Act (§ 2.2-3100 et seq.);

220 9. Permit the transfer of surplus clothing to an appropriate department, division, institution, or agency of
221 the Commonwealth for distribution to needy individuals by and through local social services boards;

222 10. Encourage the recycling of paper products, beverage containers, electronics, and used motor oil;

223 11. Require the proceeds from any sale or recycling of surplus materials be promptly deposited into the
224 state treasury in accordance with § 2.2-1802 and report the deposit to the State Comptroller;

225 12. Permit donations of surplus computers and related equipment to:

226 a. Public schools in the Commonwealth;

227 b. Virginia charitable corporations granted tax-exempt status under § 501(c)(3) of the Internal Revenue
228 Code and providing services to persons with disabilities, at-risk youths, or low-income families. For the
229 purposes of this subdivision, "at-risk youths" means school-age children approved eligible to receive free or
230 reduced price meals in the federally funded lunch program; and

231 c. Organizations in the Commonwealth granted tax-exempt status under § 501(c)(3) of the Internal
232 Revenue Code that refurbish computers and related equipment for donation to veterans and active military,
233 naval, or air service members, as defined in § 2.2-2000.1. Any donation to an organization under this
234 subdivision shall be conditioned upon, and in consideration of, the organization's promise to refurbish the
235 donated equipment and distribute it free of charge to such veterans or active military, naval, or air service
236 members.;

237 13. Permit surplus materials to be transferred or sold, prior to public sale or auction, to public television
238 stations located in the state and other nonprofit organizations approved for the distribution of federal surplus
239 materials;

240 14. Permit a public institution of higher education to dispose of its surplus materials at the location where
241 the surplus materials are held and to retain any proceeds from such disposal, provided that the institution
242 meets the conditions prescribed in subsection A of § 23.1-1002 and § 23.1-1019 (e, regardless of whether or
243 not the institution has been granted any authority under Article 4 (§ 23.1-1004 et seq.) of Chapter 10 of Title
244 23.1);

245 15. Permit surplus materials from (i) the Department of Defense Excess Property Program or (ii) other
 246 surplus property programs administered by the Commonwealth to be transferred or sold to Virginia charitable
 247 corporations granted tax-exempt status under § 501(c)(3) of the Internal Revenue Code and operating as an
 248 educational institution devoted to emergency management training, preparedness, and response;

249 16. Require, to the extent practicable, the recycling and disposal of computers and other information
 250 technology assets, including the option to enter into an agreement with a purchasing vendor to buy back or
 251 trade in any technological equipment. Additionally, for computers or information technology assets that may
 252 contain confidential state data or personal identifying information of citizens of the Commonwealth, the
 253 Department shall ensure all policies for the transfer or other disposition of computers or information
 254 technology assets are consistent with data and information security policies developed by the Virginia
 255 Information Technologies Agency; and

256 17. Permit surplus materials to be sold, prior to public sale or auction, to (i) service disabled veteran-
 257 owned businesses, (ii) veterans service organizations, (iii) active military-owned businesses, and (iv) military
 258 spouse-owned businesses.

259 For purposes of this subdivision:

260 "Active military" means military service members who perform full-time duty in the Armed Forces of the
 261 United States, or a reserve component thereof, including the National Guard.

262 "Military spouse" means a person whose spouse is an active military, naval, or air service member or
 263 veteran as those terms are defined in § 2.2-2000.1.

264 "Military spouse-owned business" means a business concern that is at least 51 percent owned by one or
 265 more military spouses or, in the case of a corporation, partnership, or limited liability company or other
 266 entity, at least 51 percent of the equity ownership interest in the corporation, partnership, or limited liability
 267 company or other entity is owned by one or more individuals who are military spouses and both the
 268 management and daily business operations are controlled by one or more individuals who are military
 269 spouses.

270 "Service disabled veteran" means the same as that term is defined in § 2.2-2000.1.

271 "Service disabled veteran-owned business" means the same as that term is defined in § 2.2-2000.1.

272 "Veterans service organization" means an association or other entity organized for the benefit of veterans
 273 that has been recognized by the U.S. Department of Veterans Affairs or chartered by Congress.

274 C. The Department shall dispose of surplus materials pursuant to the procedures established in subsection
 275 B or permit any department, division, institution, or agency of the Commonwealth to dispose of its surplus
 276 materials consistent with the procedures so established. No surplus materials shall be disposed of without
 277 prior consent of the head of the department, division, institution, or agency of the Commonwealth in
 278 possession of such surplus materials or the ~~Governor~~ Board.

279 D. Departments, divisions, institutions, or agencies of the Commonwealth or the ~~Governor~~ Board may
 280 donate surplus materials only under the following circumstances:

281 1. Emergencies declared in accordance with § 44-146.18:2 or 44-146.28;

282 2. As set forth in the budget bill as defined by § 2.2-1509, provided that (a) (i) the budget bill contains a
 283 description of the surplus materials, the method by which the surplus materials shall be distributed, and the
 284 anticipated recipients, and (b) (ii) such information shall be provided by the Department to the Department of
 285 Planning and Budget in sufficient time for inclusion in the budget bill;

286 3. When the market value of the surplus materials, which shall be donated for a public purpose, is less
 287 than \$500; however, the total market value of all surplus materials so donated by any department, division,
 288 institution, or agency shall not exceed 25 percent of the revenue generated by such department's, division's,
 289 institution's, or agency's sale of surplus materials in the fiscal year, except these limits shall not apply in the
 290 case of surplus computer equipment and related items donated to Virginia public schools; or

291 4. During a local emergency, upon written request of the head of a local government or a political
 292 subdivision in the Commonwealth to the head of a department, division, institution, or agency.

293 E. On or before October 1 of each year, the Department shall prepare, and file with the Secretary of the
 294 Commonwealth, a plan that describes the expected disposition of surplus materials in the upcoming fiscal
 295 year pursuant to subdivision B 6.

296 F. The Department may make available to any local public body of the Commonwealth the services or
 297 facilities authorized by this section; however, the furnishing of any such services shall not limit or impair any
 298 services normally rendered any department, division, institution, or agency of the Commonwealth. All public
 299 bodies shall be authorized to use the services of the Department's Surplus Property Program under the
 300 guidelines established pursuant to this section and the surplus property policies and procedures of the
 301 Department. Proceeds from the sale of the surplus property shall be returned to the local body minus a service
 302 fee. The service fee charged by the Department shall be consistent with the fee charged by the Department to
 303 state public bodies.

304 **§ 2.2-1125. Proceeds from the sale or recycling of surplus materials.**

305 A. The proceeds from the sale or recycling of surplus materials pursuant to § 2.2-1124 shall promptly be
 306 deposited into the state treasury and the deposit reported to the State Comptroller, along with a statement of

307 total proceeds and the amount of the proceeds derived from the sale or recycling of surplus materials
308 purchased in whole or in part from general fund appropriations.

309 B. At the end of each fiscal quarter, the State Comptroller shall (i) determine the total proceeds derived
310 from the sale of surplus materials purchased in whole or in part from general fund appropriations and direct
311 the State Treasurer to transfer ~~fifty~~ 50 percent of the total of such proceeds to the Conservation Resources
312 Fund and (ii) provide copies of the reports furnished to him pursuant to subsection A, or summaries thereof,
313 to the Department of Planning and Budget.

314 C. Based on such reports, or summaries, the Department of Planning and Budget, pursuant to its authority
315 in the appropriation act, may increase general fund appropriations to any department, division, institution, or
316 agency of the Commonwealth by the amount of available proceeds derived from the sale or recycling of
317 surplus materials pursuant to § 2.2-1124. The department, division, institution, or agency of the
318 Commonwealth may use the additional appropriations to purchase materials, supplies, or equipment, or to
319 defray the cost of disposing of surplus materials to the extent permitted pursuant to § 2.2-1124.

320 D. Departments, divisions, institutions, or agencies may retain the full net profits from the sale of recycled
321 materials, provided that a report is filed with the State Comptroller on or before October 1 of each year.

322 E. Departments, divisions, institutions, or agencies meeting management standards prescribed by the
323 ~~Governor~~ Board may retain the net proceeds from the surplus materials sold pursuant to § 2.2-1124. Such
324 retention shall be effective on July 1 following the determination that the department, division, institution, or
325 agency meets the management standards.

326 **§ 2.2-1131.1. Establishment of performance standards for the use of property.**

327 A. The Department shall establish performance standards for the acquisition, lease, and disposition of
328 property and for the management and utilization of such property at the individual agency and statewide
329 levels to maximize the use of property for which it is held. For the purposes of this section, "property" means
330 the same as that term is defined in § 2.2-1147.

331 B. The head of each state agency or institution shall ensure that property assets held by the agency on
332 behalf of the Commonwealth are managed in accordance with the standards set by the Department. Public
333 institutions of higher education in the Commonwealth that have delegated authority to manage aspects of
334 their real property usage and have signed a memorandum of understanding with the Secretary of
335 Administration related to such delegated authority shall be deemed in compliance with the standards set by
336 the Department as long as they abide by the terms of the memorandum of understanding. Standards
337 established in accordance with the memorandum of understanding shall be reported to the Department by
338 October 1 of each year.

339 C. The Department may take appropriate actions, including assuring compliance with the standards set by
340 the Department and entering into leasing arrangements or other contracts, to ensure that asset usage by each
341 state agency is proper and cost effective.

342 D. No later than November 30 of each year, the Department shall report to the *Board*, *the Governor*, and
343 the General Assembly on the implementation and effectiveness of this program.

344 **§ 2.2-1133. Use of value engineering.**

345 A. The Division shall ensure that value engineering is employed for any capital project costing more than
346 \$5 million. Value engineering may also be used for any project costing \$5 million or less. For purposes of
347 this section, "value engineering" means a systematic process of review and analysis of a capital project by a
348 team of persons not originally involved in the project. Such team, which shall include appropriate
349 professionals licensed in accordance with Chapter 4 (§ 54.1-400 et seq.) of Title 54.1, may offer suggestions
350 that would improve project quality and reduce total project cost by combining or eliminating inefficient or
351 expensive parts or steps in the original proposal or by totally redesigning the project using different
352 technologies, materials, or methods.

353 B. The review developed pursuant to subsection A shall be compiled in a value engineering report and
354 submitted to the Division. Each item included in the value engineering report shall have a status designation
355 of accepted, declined, or accepted as modified. The Division, within 45 days, ~~must~~ shall approve the value
356 engineering report before the project may move to the next phase of design.

357 C. A value engineering report shall not be required for projects that (i) are designed utilizing either the
358 design-build or construction management at risk basis and (ii) have the value engineering process as an
359 integral component. In such cases, a written summary of the cost savings that have been incorporated into the
360 design shall be provided to the Division prior to moving forward to the construction phase of the contract.

361 D. The ~~Director of the Department~~ *Chief Administrator* may waive the requirements of this section for
362 any proposed capital project for compelling reasons. Any waiver shall be in writing, state the reasons for the
363 waiver, and apply only to a single capital project. On or before September 15 of each year, the ~~Director of the~~
364 *Chief Administrator* shall report to the *Board*, *the Governor*, and the General Assembly on the (i)
365 number and value of the capital projects where value engineering was employed and (ii) identity of the
366 capital projects for which a waiver of the requirements of this section was granted, including a statement of
367 the compelling reasons for granting the waiver. The report shall cover projects completed or for which a
368 waiver was granted within the previous fiscal year.

369 E. Notwithstanding any law to the contrary, the provisions of this section shall apply to public institutions
 370 of higher education in the Commonwealth.

371 **§ 2.2-1136. Review of easements; maintenance of records; notification when lease or other
 372 agreement for branch office to terminate; report.**

373 A. The Department shall review all deeds, leases, and contractual agreements with utilities to serve state
 374 institutions or agencies that require the approval of the Governor *or the Board*, as well as all easements and
 375 rights-of-way granted by institutions and agencies to public and private utilities.

376 B. The Department shall be responsible for the maintenance of records relating to property, as defined in
 377 § 2.2-1147, and any other real property used or occupied by lease, license, permit, or other agreement by any
 378 state department, agency, or institution, except records relating to (i) real estate or rights-of-way acquired by
 379 the Department of Transportation for the construction of highways; (ii) ungranted shores of the sea, marsh,
 380 and meadowlands, as defined in § 28.2-1500; or (iii) real estate or rights-of-way acquired by the Department
 381 of Rail and Public Transportation for the construction of railway lines or rail or public transportation facilities
 382 or the retention of rail corridors for public purposes. The Department may have such boundary, topographic,
 383 and other maps prepared as may be necessary.

384 C. The Department shall develop the criteria for and conduct an annual inventory of all real property
 385 referred to in subsection B for which it is responsible. Such inventory with respect to owned property shall be
 386 reviewed by the Department in developing recommendations pursuant to subsection A of § 2.2-1153. All
 387 state departments, agencies, and institutions shall cooperate with the Department and provide such data and
 388 documents as may be required to develop and maintain the records and inventory required by this section.

389 D. The Department shall make the inventory referred to in subsection C available on the Department's
 390 website. The description of the inventory shall include parcel identification consistent with national spatial
 391 data standards in addition to a street address as available and reported to the Department by departments,
 392 agencies, and institutions and shall include the date upon which the use or occupancy, if used or occupied by
 393 lease, license, permit, or other agreement, of the inventoried property is to terminate pursuant to the lease,
 394 license, permit, or other agreement therefor.

395 E. The Department shall provide a quarterly report, in electronic form, to the General Assembly that
 396 includes renewal and termination dates for inventoried property pursuant to the lease, license, permit, or other
 397 agreement administered by the Department. Such information shall include property that serves as a branch
 398 office of a state agency. The report shall include all such renewals and terminations scheduled to occur within
 399 90 days of the report date. The report shall be submitted as provided in the procedures of the Division of
 400 Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on
 401 the General Assembly's website. As used in this subsection, "branch office" means an office of a state agency
 402 other than its main office that assists the state agency in carrying out its statutory mission, including
 403 providing access to government services and programs.

404 **§ 2.2-1138. Planning and construction by Division; exemption.**

405 A. The Division of Engineering and Buildings shall, subject to written approval of the Governor *Board*:

406 1. Prepare and, when necessary to meet changing conditions, amend a long-range site plan for the location
 407 of all state buildings, and related improvements, in Capitol Square and its immediate environs, and for such
 408 other areas providing comparable facilities for the seat of government in or adjacent to the City of Richmond
 409 as the Governor *Board* shall direct;

410 2. Acquire with funds appropriated for that purpose the necessary land for effectuation of the plan; and

411 3. Direct and control the execution of all authorized projects for the construction of state buildings and
 412 related improvements in or adjacent to the City of Richmond.

413 B. The Governor *Board* may exempt from the provisions of subsection A those buildings and
 414 improvements that, in his *its* opinion, should be planned and constructed under the direction of other state
 415 agencies or institutions or included in site plans prepared by such other agencies or institutions.

416 C. No building for state use shall be erected or acquired nor other property acquired for state use, in
 417 Capitol Square and its immediate environs, or in such other areas as may be included in the site plan required
 418 by subsection A unless it has been approved by the Governor *Board* as conforming to the site plan.

419 **§ 2.2-1139. Transfer of funds; acceptance of donations.**

420 The Governor, *in consultation with the Board*, may transfer to the Department for use by the Division
 421 funds appropriated to any state department, agency, or institution for the construction, alteration,
 422 reconstruction, and repair of any building to be erected or acquired for the use of such department,
 423 institutional agency, or for the acquisition of land for such building, or for planning, architectural,
 424 engineering, or other studies in connection therewith, and may accept funds donated for such purposes.

425 **§ 2.2-1141. Purchase of furniture for state buildings; repairs to buildings and furniture; surplus
 426 furniture.**

427 The Division shall cause to be purchased through the Division of Purchases and Supply with the approval
 428 of the Governor *Board* all furniture required for the buildings within the master site plan of Capitol Square,
 429 except those assigned for use by agencies and departments. The Division shall have all repairs made to either
 430 buildings or furniture thereof, as may be approved by the Governor *Board*. The cost of the repairs and

431 furniture shall be paid with funds approved by the *Governor Board*. The Division shall declare surplus that
432 furniture that may no longer be satisfactorily used.

433 **§ 2.2-1142. Furniture for Executive Mansion.**

434 The Division shall requisition for the Executive Mansion the furniture required by the Governor, and
435 cause to be sold such old furniture as the Governor and *Board* may direct, taking care not to exceed
436 appropriated sums therefor, in addition to the proceeds of old furniture sold. An account both of the sales and
437 purchases shall be returned to the Comptroller before any warrant shall issue for any part of the sum
438 appropriated. The warrant shall be only so much as by the account appears to be proper.

439 **§ 2.2-1143. Services for Capitol and other state facilities.**

440 The Division shall contract for water, electricity, gas, sewer service, fuel for heating, and such other
441 services required to serve the facilities within the master site plan of Capitol Square and for such other
442 facilities as the *Governor Board* may designate. The cost of the services shall be paid out of funds
443 appropriated for that purpose.

444 **§ 2.2-1144. Control of Capitol Square and other property at seat of government.**

445 A. The Division, under the direction and control of the *Governor Board*, shall have control of the Capitol
446 Square with the expense of the maintenance and control to be paid out of the fund appropriated for that
447 purpose. The Division shall keep the keys of the Capitol Building and shall take charge of all the rooms in the
448 Capitol Building, except in those areas under the control of the legislature, the public grounds, and all other
449 property at the seat of government not placed in specific charge of others. The Division shall have no control
450 or responsibility with respect to the old and new Senate chambers, the old and new halls of the House of
451 Delegates, the Rotunda, the offices of the Clerks of the Senate and House of Delegates, the legislative
452 committee rooms, the enrolling office, or any other area specifically designated as legislative space. The
453 Division shall do such work and make such repairs for the respective bodies of the General Assembly
454 requested by the clerks thereof with appropriate reimbursement of expenses to the Division.

455 B. The Division shall have all the furniture and the rooms in the Capitol, other than the rooms excepted in
456 subsection A, the open parts of the Capitol, the public grounds, and all other property at the seat of
457 government not placed in the charge of others, kept in proper order at all times.

458 **§ 2.2-1146. Department may lease certain state property; approval of leases by Attorney General; disposition of rentals.**

459 The Department, with the written approval of the *Governor Board*, may lease land, buildings, and any
460 portions thereof owned by the Commonwealth and under the control of the Department, when such land,
461 buildings, or portions thereof are in excess of current and foreseeable needs of the Department. All such
462 leases shall be executed in the name of the Commonwealth and shall be in a form approved by the Attorney
463 General. The leases may run for such time as may be approved by the *Governor Board* and shall be for
464 appropriate rental. All rentals received shall be retained by the Department and used for paying the costs of
465 entering and administering such leases and for offsetting the costs of maintaining and operating the
466 facilities under control of the Department. Notwithstanding any law to the contrary or how title to the
467 property was acquired, the deed or lease shall be executed on behalf of the Commonwealth by the *Director of*
468 *the Department Chief Administrator* or his designee, and such action shall not create a cloud on the title to the
469 property. The terms of the lease shall be subject to the written approval of the *Governor or his designee*
470 *Board*.

471 **§ 2.2-1147. Definitions.**

472 As used in §§ 2.2-1136 through 2.2-1156, unless the context requires a different meaning:

473 "Institutions" includes, but is not limited to, any corporation owned by the Commonwealth and subject to
474 the control of the General Assembly.

475 "Property" means an interest in land and any improvements thereon, including the privileges and
476 appurtenances of every kind belonging to the land, held by the Commonwealth and under the control of or
477 occupied by any of its departments, agencies, or institutions but. "Property" does not include (i) real estate or
478 rights-of-way acquired by the Department of Transportation for the construction of highways; (ii) ungranted
479 shores of the sea, marsh, and meadowlands as defined in § 28.2-1500; or (iii) real estate or rights-of-way
480 acquired by the Department of Rail and Public Transportation for the construction of railway lines or rail or
481 public transportation facilities or the retention of rail corridors for public purposes.

482 "Recommend," "recommended," or "recommendation," when used with reference to a recommendation by
483 the Department of General Services to the *Governor Board*, means to advise either for or against a proposed
484 action.

485 **§ 2.2-1150.2. Use of communication towers for deployment of wireless broadband services in
486 unserved areas of the Commonwealth.**

487 A. As used in this section:

488 "Qualified provider" means a provider of wireless broadband service that has obtained all governmental
489 approvals required for the provision of wireless broadband service in the unserved area in which it seeks to
490 provide such service.

491 "Unserved area" means any area within the Commonwealth that is demonstrated not to have access to

493 terrestrial broadband or radio frequency Internet service.

494 "Wireless broadband service" means an Internet connection service capable of transmitting information at
 495 a rate that is not less than 256 kilobits per second in at least one direction using a wireless link between a
 496 fixed location and the Internet service provider's facility. It does not include wireless fidelity technology used
 497 in conjunction with dedicated subscriber line service or cable service to connect devices within a facility to
 498 the Internet via a broadband connection.

499 B. Notwithstanding any provision of § 2.2-1156 to the contrary, any state department, agency, or
 500 institution having responsibility for a state-owned communication tower in an unserved area, subject to
 501 guidelines adopted by the Department, shall lease or convey a license or other interest in the communication
 502 tower to a qualified provider in order to permit the use of the communication tower by the qualified provider
 503 in its deployment of wireless broadband service within the unserved area or portion thereof. This requirement
 504 is subject to the qualified provider presenting to the Department:

505 1. A spectrum and certified structural analysis of the tower that demonstrates that:

506 a. The new service will not interfere with current equipment;

507 b. No structural element is beyond 85 percent capacity based on current and previously documented future
 508 loads; and

509 c. The tower meets the industry standards set forth by ANSI/TIA/EIA 222-F; and

510 2. Proof that the tower satisfies all applicable local government requirements.

511 C. The Department shall adopt guidelines for (i) determining whether a provider of wireless broadband
 512 service is qualified to provide such service and (ii) requesting a state department, agency, or institution to
 513 enter into a lease or other conveyance of an interest in a communication tower or site pursuant to this section.

514 D. The lease or other conveyance shall be for such consideration as the ~~Director of the Department~~ *Chief*
 515 *Administrator* deems appropriate, which consideration shall not be required to be commensurate with the
 516 consideration paid for use of comparable space on similar towers. The lease or other conveyance may include
 517 shared use of the facilities by other political subdivisions or persons providing the same or similar services,
 518 and by departments, agencies, or institutions of the Commonwealth.

519 E. The provisions of § 2.2-1156 as they apply to lease agreements or conveyances of any interest shall not
 520 apply to any transaction undertaken pursuant to this section.

521 F. No transaction authorized by this section shall be made without the prior approval of the ~~Director of the~~ *Chief*
 522 *Administrator* and the approval of the Attorney General as to the form of any
 523 conveyancing instrument prior to execution.

524 **§ 2.2-1150.3. Lease of state military reservation property.**

525 A. Subject to the provisions of subsection B of § 2.2-1150, the Department of Military Affairs may
 526 convey a leasehold interest in any portion of State Military Reservation property to governmental or private
 527 entities when it is deemed by the Adjutant General to be in the Department of Military Affairs' best interest to
 528 (i) provide necessary services such as lodging, training capabilities, or logistical utility services that support
 529 the Department's mission or (ii) maintain a peripheral buffer with compatible uses, including ground parking
 530 leases.

531 B. Subject to the provisions of subsection B of § 2.2-1150, the term of any leasehold interest in any
 532 portion of State Military Reservation property shall not exceed 50 years; however, any agreement may be
 533 extended upon the written recommendation of the Governor *and the Board* and the approval of the General
 534 Assembly. In the event that the Department of Military Affairs enters into any written agreement with a
 535 private individual, firm, corporation, or other entity to lease property in the possession or control of the
 536 Department pursuant to this subsection, neither the real property that is the subject of the lease nor any
 537 improvements or personal property located on the real property that is the subject of the lease shall be subject
 538 to taxation by any local government authority pursuant to § 58.1-3203, provided that the real property,
 539 improvements, or personal property is used for a purpose consistent with or supporting the Department's
 540 mission.

541 **§ 2.2-1151. Conveyance of easements and appurtenances thereto to cable television companies,
 542 utility companies, public service companies, political subdivisions by state departments, agencies, or
 543 institutions; communication towers; telecommunications companies.**

544 A. When it is deemed to be in the public interest and subject to guidelines adopted by the Department:

545 1. Any state department, agency, or institution, through its executive head or governing board may convey
 546 to public utility companies, public service corporations or companies, political subdivisions, cable television
 547 companies, or telecommunications companies right-of-way easements over property owned by the
 548 Commonwealth and held in its possession and any wires, pipes, conduits, fittings, supports, and
 549 appurtenances thereto for the transmission of electricity, telephone, cable television, telecommunications,
 550 water, gas, steam, or sewage placed on, over, or under the property.

551 2. Any state department, agency, or institution having responsibility for a state-owned office building,
 552 through its executive head or governing board, may lease space to a credit union in the building for the
 553 purpose of providing credit union services that are readily accessible to state employees. The lease shall be
 554 for a term of not more than five years, with annual renewals or new leases permitted thereafter. Such lease

555 may be granted for no consideration or for less than the fair market value.

556 3. Property owned by the Commonwealth may be sold or leased or other interests or rights therein granted
557 or conveyed to political subdivisions or persons providing communication or information services for the
558 purpose of erecting, operating, using, or maintaining communication towers, antennas, or other radio
559 distribution devices. If any tower proposed to be erected on property owned by the Commonwealth is to be
560 used solely by private persons providing communication or information services, and there is no immediate
561 use planned or anticipated by any department, agency, or institution of the Commonwealth or political
562 subdivision, the guidelines shall provide a means to obtain comments from the local governing body where
563 the property is located. The conveyances shall be for such consideration as the ~~Director of the Department~~
564 ~~Chief Administrator~~ deems appropriate; and may include shared use of the facilities by other political
565 subdivisions or persons providing the same or similar services, and by departments, agencies, or institutions
566 of the Commonwealth.

567 B. No transaction authorized by this section shall be made without the prior written recommendation by
568 the Department to the ~~Governor~~ *Board*, the written approval by the ~~Governor~~ *Board* of the transaction itself,
569 and the approval by the Attorney General as to the form of the instruments prior to execution.

570 C. This section shall not (i) apply to any lease or conveyance of a license or other interest in a
571 communication tower for use in the deployment of wireless broadband service within an unserved area of the
572 Commonwealth made pursuant to § 2.2-1150.2 or (ii) be construed to alter the control or ownership of towers
573 currently maintained by other agencies of the Commonwealth.

574 **§ 2.2-1153. State agencies and institutions to notify Department of property not used or required;
575 criteria.**

576 A. Whenever any department, agency, or institution of state government possesses or has under its control
577 state-owned or leased property that is not being used to full capacity or is not required for the programs of the
578 department, agency, or institution, it shall so notify the Department. Such notification shall be in a form and
579 manner prescribed by the Department. Each department, agency, and institution shall submit to the
580 Department a land use plan for state-owned property it possesses or has under its control showing present and
581 planned uses of such property. Such plan shall be approved by the cognizant board or governing body of the
582 department, agency, or institution holding title to or otherwise controlling the state-owned property or the
583 agency head in the absence of a board or governing body, with a recommendation on whether any property
584 should be declared surplus by the department, agency, or institution. Development of such land use plans
585 shall be based on guidelines promulgated by the Department. The guidelines shall provide that each land use
586 plan shall be updated and copies provided to the Department by September 1 of each year. The Department
587 may exempt properties that are held and used for conservation purposes from the requirements of this section.
588 The Department shall review the land use plans, the records, and inventory required pursuant to subsections
589 B and C of § 2.2-1136, and such other information as may be necessary and determine whether the property
590 or any portion thereof should be declared surplus to the needs of the Commonwealth. By October 1 of each
591 year, the Department shall provide a report to the ~~Chairmen~~ *Chairs* of the House Committee on
592 Appropriations and the Senate Committee on Finance and Appropriations setting forth the Department's
593 findings, the sale or marketing of properties identified pursuant to this section, and recommending any
594 actions that may be required by the *Board*, the Governor, and the General Assembly to identify and dispose
595 of property not being efficiently and effectively utilized. The Department shall provide a listing of surplus
596 properties on the Department's website. The description of surplus property shall include parcel identification
597 consistent with national spatial data standards in addition to a street address.

598 Until permanent disposition of the property determined to be surplus is effected, the property shall
599 continue to be maintained by the department, agency, or institution possessing or controlling it, unless upon
600 the recommendation of the Department, the ~~Governor~~ *Board* authorizes the transfer of the property to the
601 possession or control of the Department. In this event, the department, agency, or institution formerly
602 possessing or controlling the property shall have no further interest in it.

603 B. The Department shall establish criteria for ascertaining whether property under the control of a
604 department, agency, or institution should be classified as "surplus" to its current or proposed needs. Such
605 criteria shall provide that the cognizant board or governing body, if any, of the department, agency, or
606 institution holding the title to or otherwise controlling the state-owned property, or the agency head in the
607 absence of a board or governing body, shall approve the designation of the property as surplus.

608 C. Notwithstanding the provisions of subsection A:

609 1. The property known as College Woods, which includes Lake Matoaka and is possessed and controlled
610 by a college founded in 1693, regardless of whether such property has been declared surplus pursuant to this
611 section, shall not be transferred or disposed of without the approval of the board of visitors of such college by
612 a two-thirds vote of all board members at a regularly scheduled board meeting. The General Assembly shall
613 also approve the disposal or transfer.

614 2. Surplus real property valued at less than \$5 million that is possessed and controlled by a public
615 institution of higher education may be sold by such institution, provided that (i) at least 45 days prior to
616 executing a contract for the sale of such property, the institution gives written notification to the *Board*, the

617 Governor, and the ~~Chairmen~~ Chairs of the House Committee on Appropriations and the Senate Committee
 618 on Finance and Appropriations; and (ii) the ~~Governor~~ Board may postpone the sale at any time up to 10 days
 619 prior to the proposed date of sale. Such sale may be effected by public auction, sealed bids, or by marketing
 620 through one or more Virginia licensed real estate brokers after satisfying the public notice provisions of
 621 subsection D of § 2.2-1156. The terms of all negotiations resulting in such sale shall be public information.
 622 The public institution of higher education may retain the proceeds from the sale of such property if the
 623 property was acquired by nongeneral funds. If the institution originally acquired the property through a mix
 624 of general and nongeneral funds, 50 percent of the proceeds shall be distributed to the institution and 50
 625 percent shall be distributed to the State Park Conservation Resources Fund established under subsection A of
 626 § 10.1-202. The authority of a public institution of higher education to sell surplus real property described
 627 under this subdivision or to retain any proceeds from the sale of such property shall be subject to the
 628 institution meeting the conditions prescribed in subsection A of § 23.1-1002 and § 23.1-1019 €, regardless of
 629 whether or not the institution has been granted any authority under Article 4 (§ 23.1-1004 et seq.) of Chapter
 630 10 of Title 23.1).

631 **§ 2.2-1155. Temporary transfer of use of property between state departments, agencies, and
 632 institutions; lease to private entities.**

633 A. Whenever any department, agency, or institution of state government possesses or has under its control
 634 property for which there is an anticipated future use, but for which there is no immediate use, the department,
 635 agency, or institution of the Commonwealth may effect, subject to the written recommendation of the
 636 Department to the ~~Governor~~ Board and the written approval by the ~~Governor~~ Board, an agreement in writing
 637 with any other department, agency, or institution of state government for the use of the property by the other
 638 department, agency, or institution during a period not to exceed 15 years. The agreement may be extended
 639 beyond the 15-year period on an annual basis in accordance with the procedures prescribed in this subsection.
 640 In the event no other department, agency, or institution of state government has use for the property, the
 641 department, agency, or institution may lease the property to private individuals, firms, corporations, or other
 642 entities in accordance with the procedures and subject to the term limitations prescribed in this subsection.

643 B. The provisions of subsection A notwithstanding, public institutions of higher education in the
 644 Commonwealth, subject to the approval of the General Assembly, may enter into written agreements with
 645 university-related foundations, private individuals, firms, corporations, or other entities to lease property in
 646 the possession or control of the institution. Any such agreement and proposed development or use of property
 647 shall (i) be for a purpose consistent with the educational and general mission, auxiliary enterprises, and
 648 sponsored program activities of the institution, or such other purpose as the General Assembly may authorize,
 649 and (ii) comply with guidelines adopted by the Department. The term of any agreement shall be based upon,
 650 among other things, the useful life of the improvements to the property and shall not exceed 50 years;
 651 however, any agreement may be extended upon the written recommendation of the ~~Governor~~ Board and the
 652 approval of the General Assembly. Agreements with private individuals, firms, corporations, or other entities
 653 shall also be subject to guidelines adopted by the Secretary of Finance. In the event that any public institution
 654 of higher education in the Commonwealth enters into any written agreement with a university-related
 655 foundation, private individual, firm, corporation, or other entity to lease property in the possession or control
 656 of the institution pursuant to this subsection, neither the real property that is the subject of the lease nor any
 657 improvements or personal property located on the real property that is the subject of the lease shall be subject
 658 to taxation by any local government authority pursuant to § 58.1-3203 or § 58.1-3502 or any other applicable
 659 law during the term of the lease, regardless of the ownership of the property, improvements, or personal
 660 property, provided the real property, improvements, or personal property shall be used for a purpose
 661 consistent with the educational and general mission, auxiliary enterprises, and sponsored program activities
 662 of the institution.

663 For the purposes of this section, "university-related foundation" means any foundation affiliated with an
 664 institution of higher education.

665 **§ 2.2-1156. Sale or lease of surplus property and excess building space.**

666 A. The Department shall identify real property assets that are surplus to the current and reasonably
 667 anticipated future needs of the Commonwealth and may dispose of surplus assets as provided in this section,
 668 except when a department, agency, or institution notifies the Department of a need for property that has been
 669 declared surplus, and the Department finds that stated need to be valid and best satisfied by the use of the
 670 property.

671 B. After it determines the property to be surplus to the needs of the Commonwealth and that such property
 672 should be sold, the Department shall request the written opinion of the Secretary of Natural and Historic
 673 Resources as to whether the property is a significant component of the Commonwealth's natural or historic
 674 resources, and if so how those resources should be protected in the sale of the property. The Secretary of
 675 Natural and Historic Resources shall provide this review within 15 business days of receipt of full
 676 information from the Department.

677 C. Upon receipt of the Secretary's review under subsection B and prior to offering the surplus property for
 678 sale to the public, the Department shall notify the chief administrative officer of the locality within which the

679 property is located as well as any economic development entity for such locality of the pending disposition of
680 such property. The chief administrative officer or local economic development entity shall have up to 180
681 days from the date of such notification to submit a proposal to the Department for the use by the locality or
682 the local economic development entity of such property in conjunction with a bona fide economic
683 development activity. The Department shall review such proposal, and if the Department determines that
684 such proposal is viable and could benefit the Commonwealth, the Department may negotiate with the chief
685 administrative officer or the local economic development entity for the sale of such property to the locality or
686 economic development entity. If no agreement is reached between the Department and the chief
687 administrative officer or the local economic development entity for the sale of the property, or if no proposal
688 for the use of the property is submitted to the Department by the chief administrative officer or the local
689 economic development entity within 180 days of notification of the pending disposition of the property, the
690 Department, with the prior, written approval of the ~~Governor~~ Board, may proceed to dispose of the property
691 as provided in this section.

692 D. If the surplus property is not disposed of pursuant to subsection C, the sale shall be by public auction;
693 or sealed bids, or by marketing through one or more real estate brokers licensed by the Commonwealth.
694 ~~Notee If by public auction or sealed bids, notice of the date, time, and place of sale; if by public auction or~~
695 ~~sealed bids shall be posted on the Department's website and given by advertisement in at least one newspaper~~
696 ~~that is published and having general circulation generally circulated in the county or city in which the~~
697 ~~property to be sold is located and be posted on the Department's website.~~ At least 30 days shall elapse
698 between publication of the notice and the auction or the date on which sealed bids will be opened.

699 E. The Department may reject any and all bids or offers when, in the opinion of the Department, the price
700 is inadequate in relation to the value of the property, the proposed terms are unacceptable, or if a need has
701 been found for the property.

702 F. In lieu of the sale of any such property, or in the event the Department determines there is space within
703 a building owned by the Commonwealth or any space leased by the Commonwealth in excess of current and
704 reasonably anticipated needs, the Department may, with the approval of the ~~Governor~~ Board, lease or
705 sublease such property or space to any responsible person, firm, or corporation on such terms as shall be
706 approved by the ~~Governor~~ Board, provided, however, that the authority herein to sublease space leased by the
707 Commonwealth shall be subject to the terms of the original lease. The Department may with the approval of
708 the ~~Governor~~ Board permit charitable organizations exempt from taxation under § 501(c)(3) of the Internal
709 Revenue Code that provide addiction recovery services to lease or sublease such property or space at cost and
710 on such terms as shall be approved by the ~~Governor~~ Board, provided such use is deemed appropriate.

711 The Department shall post reports from the Commonwealth's statewide electronic procurement system,
712 known as eVA, on the Department's website. The report shall include, at a minimum, current leasing
713 opportunities and sales of surplus real property posted on the eVA's Virginia Business Opportunities website.
714 Such reports shall also be made available by electronic subscription. The provisions of this section requiring
715 disposition of property through the medium of sealed bids, public auction, or marketing through licensed real
716 estate brokers shall not apply to any lease thereof, although such procedures may be followed in the
717 discretion of the Department.

718 G. The deed, lease, or sublease conveying the property or excess space shall be executed in the name of
719 the Commonwealth and shall be in a form approved by the Attorney General. Notwithstanding any law to the
720 contrary and notwithstanding how title to the property was acquired, the deed or lease may be executed on
721 behalf of the Commonwealth by the ~~Director of the Department~~ Chief Administrator or his designee, and
722 such action shall not create a cloud on the title to the property.

723 In the event that the Department determines that a boundary line of a surplus property requires
724 adjustment, the Department may work with the adjacent landowner to adjust the boundary line and to transfer
725 property to, or acquire property from, such adjacent landowner. In the event the Department determines that
726 granting or accepting an easement over surplus property or the property of the adjacent landowner would
727 facilitate the transfer of the surplus property, the Department may enter into any such easement on behalf of
728 the department, agency, or institution in possession or control of the property, provided, however, that any
729 such easement shall be in a form approved by the Attorney General and subject to the written approval of the
730 ~~Governor~~ Board. The terms of the sale, lease, or sublease shall be subject to the written approval of the
731 ~~Governor~~ Board.

732 H. An exception to sale by sealed bids, public auction, or listing the property with a licensed real estate
733 broker may be granted by the ~~Governor~~ Board if the property is landlocked and inaccessible from a public
734 road or highway. In such cases, the Department shall notify all adjacent landowners of the Commonwealth's
735 desire to dispose of the property. After the notice has been given, the Department may begin negotiations for
736 the sale of the property with each interested adjacent landowner. The Department, with the approval of the
737 ~~Governor~~ Board, may accept any offer that it deems to be fair and adequate consideration for the property. In
738 all cases, the offer shall be the best offer made by any adjacent landowner. The terms of all negotiations shall
739 be public information.

740 I. Subject to any law to the contrary, 50 percent of the proceeds from all sales or leases, or from the

741 conveyance of any interest in property under the provisions of this article, above the costs of the transaction,
 742 which costs shall include fees or commissions, if any, negotiated with and paid to auctioneers or real estate
 743 brokers, shall be paid into the State Park Acquisition and Development Fund, so long as the sales or leases
 744 pertain to general fund agencies or the property involved was originally acquired through the general fund,
 745 except as provided in Chapter 180 of the Acts of Assembly of 1966. The remaining 50 percent of proceeds
 746 involving general fund sales or leases, less a pro rata share of any costs of the transactions, shall be deposited
 747 in the general fund of the state treasury. The Department of Planning and Budget shall develop guidelines
 748 that allow, with the approval of the Governor, any portion of the deposit in the general fund to be credited to
 749 the agency, department, or institution having control of the property at the time it was determined surplus to
 750 the Commonwealth's needs. Any amounts so credited to an agency, department, or institution may be used,
 751 upon appropriation, to supplement maintenance reserve funds or capital project appropriations, or for the
 752 acquisition, construction, or improvement of real property or facilities. Net proceeds from sales or leases of
 753 special fund agency properties or property acquired through a gift for a specific purpose shall be retained by
 754 the agency or used in accordance with the original terms of the gift. Notwithstanding the foregoing, income
 755 from leases or subleases above the cost of the transaction shall first be applied to rent under the original lease
 756 and to the cost of maintenance and operation of the property. The remaining funds shall be distributed as
 757 provided herein.

758 J. When the Department deems it to be in the best interests of the Commonwealth, it may, with the
 759 approval of the ~~Governor~~ Board, authorize the department, institution, or agency in possession or control of
 760 the property to dispose of surplus property in accordance with the procedures set forth in this section.

761 **§ 2.2-1157. Exploration for and extraction of minerals on state-owned uplands.**

762 A. The Department of Energy, in cooperation with the Division, shall develop, with the assistance of
 763 affected state agencies, departments, and institutions, a State Minerals Management Plan (the Plan). The Plan
 764 shall include provisions for the holding of public hearings and the public advertising for competitive bids or
 765 proposals for mineral exploration, leasing, and extraction activities on state-owned uplands. Sales of mineral
 766 exploration permits and leases for these lands shall be administered by the Division, with the advice of the
 767 Department of Energy.

768 B. Upon receiving the recommendation of both the ~~Director of the Department of General Services~~ Chief
 769 Administrator and the Director of the Department of Energy, the Governor shall determine whether the
 770 proposed mineral exploration, leasing, or extraction of minerals on state-owned uplands is in the public
 771 interest. No state-owned uplands shall be approved for mineral exploration, leasing, or extraction without a
 772 public hearing in the locality where the affected land or the greater portion thereof is located and a
 773 competitive bid or proposal process as described in the Plan. The provisions of this section shall not apply to
 774 the extraction of minerals on state-owned uplands pursuant to an oil or gas pooling order unless the well
 775 through which the extraction will occur is situated on such land.

776 For purposes of this section, "state-owned uplands" means lands owned by the Commonwealth that (i) lie
 777 landward of the mean low water mark in tidal areas or (ii) have an elevation above the average surface water
 778 level in nontidal areas.

779 C. The agencies, departments, or institutions proposing or receiving applications for mineral exploration,
 780 leasing, or extraction on state-owned uplands shall, through their boards or commissions, recommend all such
 781 activities to the Division following guidelines set forth in the Plan. The Division and the Department of
 782 Energy shall review and recommend to the Governor such proposed activities. Such agencies, departments, or
 783 institutions, through their boards or commissions, may execute the leases or contracts that have been
 784 approved by the Governor.

785 D. The proceeds from all such sales or leases above the costs of the sale to the Department of Energy or to
 786 the agency, department, or institution sponsoring the sale shall be paid into the general fund of the state
 787 treasury, so long as the sales or leases pertain to general fund agencies or the property involved was originally
 788 acquired through the general fund. Net proceeds from sales or leases of special-fund agency properties or
 789 property acquired through a gift shall be retained by such agency or institution or used in accordance with the
 790 original terms of the gift if so stated.

791 E. Mining, leasing, and extraction activities in state-owned submerged lands shall be authorized and
 792 administered by the Virginia Marine Resources Commission pursuant to Title 28.2 (§ 28.2-100 et seq.).

793 **§ 2.2-1162. Definitions.**

794 As used in this article:—

795 "Asbestos" means any material containing more than one percent of the asbestiform varieties of:

- 796 1. chrysotile (serpentine);;
- 797 2. crocidolite (riebeckite);;
- 798 3. amosite (cummingtonite-grunerite);;
- 799 4. anthophyllite;;
- 800 5. tremolite; or
- 801 6. actinolite.

802 "Director" means the ~~Director of the Department of General Services~~.

803 "Friable" means material that is capable of being crumbled, pulverized, or reduced to powder by hand
804 pressure or which under normal use or maintenance emits or can be expected to emit asbestos fibers into the
805 air.

806 "Local education agency" or "LEA" means the same as that term is defined in the ~~United States~~ U.S.
807 Environmental Protection Agency Asbestos Hazard and Emergency Response Act regulations set forth in 40
808 ~~CFR~~ C.F.R. Part 763.

809 "Operations and maintenance program" means work practices to maintain asbestos-containing material in
810 good condition and to minimize and control disturbance or damage to such materials.

811 "Response actions" means any action, including removal, encapsulation, enclosure, repair, method of
812 operation, maintenance, ~~reeord keeping~~ recordkeeping, or notification, that protects human health from
813 building materials containing asbestos.

814 "Secretary" means the Secretary of Administration.

815 **§ 2.2-1163. Inspection of state-owned buildings; marking locations where asbestos found; risk
816 abatement and estimate of cost thereof.**

817 The ~~Director~~ *Chief Administrator* at the direction of the Secretary and in cooperation with any other
818 appropriate agencies including ~~but not limited to~~ the Department of Education shall ensure that every
819 building owned by the Commonwealth or any agency of the Commonwealth ~~which~~ that has not previously
820 been inspected by competent personnel as provided below is inspected as soon as practical by competent
821 personnel who have the training and equipment necessary to identify (i) the presence of asbestos, and (ii) to
822 the extent practicable, the relative hazard ~~or hazards~~ to health and safety posed at each location at which
823 asbestos is identified. Every location at which asbestos is identified shall be clearly marked with suitably
824 designed signs or labels. The ~~Director~~ *Chief Administrator* shall prepare an accurate estimate of the cost of
825 abating the risk of all asbestos so identified. The ~~Director~~ *Chief Administrator* shall also establish a list of
826 abatement priorities, which shall include the estimated cost of abating the risk at each location on the list. To
827 the extent that funds are available, and in accordance with the priorities established by the ~~Director~~ *Chief
828 Administrator*, the agency or institution of the Commonwealth responsible for the maintenance of buildings at
829 any such location shall proceed to abate the risk at such locations.

830 **§ 2.2-1164. Standards for inspection of buildings for asbestos.**

831 A. The ~~Director~~ *Chief Administrator*, at the direction of the Secretary and in cooperation with any other
832 appropriate agencies, including, ~~but not limited to~~, the Department of Education, shall adopt standards for the
833 inspection of state-owned and local education agency buildings of all types and the ancillary facilities used in
834 connection therewith for the purpose of identifying the presence of asbestos and, to the extent practicable, the
835 relative hazard to health or safety posed by any asbestos identified. The Administrative Process Act
836 (§ 2.2-4000 et seq.) shall not apply to the adoption of standards under this section.

837 A. B. The standards shall include:

1. Inspection for the presence, location, and condition of asbestos-containing materials; *and*
2. Development of a building asbestos profile for each building inspected and found to contain asbestos-containing material, which profile shall:

841 (a) *a.* Include information regarding product type (surfacing material, thermal system insulation, or
842 miscellaneous material), specific location, estimated quantity (in square or linear feet), type, and percentage
843 of asbestos content, and physical condition;

844 (b) *b.* Be kept in possession of the person designated pursuant to subsection E F, at a location in the
845 building where it is readily accessible to building employees or their designated representatives; *and*

846 (c) *c.* Be updated as surveillance, test results, and/or response actions are undertaken in the building.

847 B. C. The following standards are established for state-owned buildings:

848 1. When air monitoring is used for building assessment, it shall be used in conjunction with
849 comprehensive visual assessment techniques for determining the priority and nature of response action.

850 2. The airborne asbestos reoccupancy level, to be measured upon completion of response actions, shall be
851 equal to the reoccupancy standards established for buildings pursuant to subsection E D.

852 C. D. The ~~Director~~ *Chief Administrator*, in conjunction with the state Departments of Professional and
853 Occupational Regulation, Health, Labor and Industry, Education, and Environmental Quality, shall adopt
854 standards governing aggressive air sampling after completion of an asbestos project for airborne asbestos for
855 local education agencies and public institutions of higher education.

856 D. E. Asbestos management plans for state-owned buildings shall include:

1. Operation and maintenance programs, including procedures for the notification of maintenance and
857 housekeeping personnel of the location of asbestos-containing materials likely to be disturbed during routine
858 building operations; the labeling of asbestos-containing materials in routine maintenance areas; and work
859 practices, engineering controls, or personal protective measures to minimize asbestos exposure to such
860 personnel and other building occupants;
2. Training requirements for maintenance workers and maintenance supervisory personnel;
3. Assurance of compliance by contractors with licensing under applicable state laws and regulations; and
4. Provisions for setting priorities of buildings for response actions.

865 E. F. Each person responsible for such management plans shall designate one member of the maintenance
 866 personnel in or responsible for each building containing asbestos-containing materials to serve as the liaison
 867 to coordinate the specific efforts of such program within the particular building to which the liaison is
 868 assigned.

869 **§ 2.2-1168. Division of Support Services may be established.**

870 The ~~Director~~ *Chief Administrator* may establish a Division of Support Services (the
 871 "Division") and assign to this Division or to any other division any or all of the duties described in this article
 872 or otherwise imposed upon the Department.

873 **§ 2.2-1172. Parking of vehicles in Capitol Square; parking facilities for state officers and employees; violations.**

875 A. Except as provided in this section, all parking in the Capitol Square of motor vehicles and animal-
 876 drawn vehicles is prohibited. However, during the recess of the General Assembly, the Division may cause to
 877 be marked off certain portions of the driveways in the Capitol Square and permit vehicles to be parked there
 878 under such regulations as may be prescribed. Parking areas on the west of the Capitol shall be reserved at all
 879 times for parking by members of the General Assembly.

880 B. During sessions of the General Assembly, parking in the Capitol Square shall be subject to rules and
 881 regulations adopted jointly by the Speaker of the House of Delegates and the ~~chairman~~ *Chair* of the Senate
 882 Committee on Rules.

883 C. The Division may, with the approval of the ~~Governor~~ *Board*, utilize any property owned by the
 884 Commonwealth and located in the Richmond area for the purpose of providing parking facilities for officers
 885 and employees of the Commonwealth, and to allocate spaces therein. The Division may fix and collect fees
 886 for the use of the parking facilities. The Division may adopt regulations for the parking facilities, which
 887 regulations shall include the enforcement provisions required by §§ 46.2-1225 through 46.2-1229.

888 D. Any person parking any vehicle contrary to the rules and regulations referred to in subsection B or
 889 contrary to the other provisions of this section, or contrary to any parking sign or "No Parking" sign erected
 890 by the Division pursuant to regulations adopted by it, shall be subject to a fine of not less than ~~one dollar~~ \$1
 891 nor more than ~~twenty-five dollars~~ \$25 for each offense.

892 **§ 2.2-1173. Definitions.**

893 As used in this article:

894 "Centralized fleet" means those passenger-type vehicles assigned to the Department of ~~General Services~~
 895 and available for use by state agencies.

896 "Contract rental" means a contract for the use of motor vehicles by employees for official state business
 897 within the confines of their normal work locations. This "Contract rental" does not include rental vehicles
 898 used by travelers after reaching their destination.

899 "Director" means the ~~Director~~ of the Department of General Services.

900 "Lease" means a contract for the use of a passenger-type vehicle for a term of more than ~~thirty~~ 30 days.

901 "Passenger-type vehicle" means any automobile, including sedans and station wagons, or ~~van~~ *vans* used
 902 primarily for the transportation of the operator and no more than ~~fifteen~~ 15 passengers.

903 **§ 2.2-1174. Vehicles assigned to the centralized fleet.**

904 Passenger-type vehicles purchased with public funds by any department, agency, institution, or
 905 commission of the Commonwealth, or any officer or employee on behalf of the Commonwealth, shall be
 906 assigned to the centralized fleet with the following exceptions:

907 1. Vehicles that have special equipment or performance requirements related to use by law-enforcement
 908 officers;

909 2. Vehicles for use by any elected official of the people of the Commonwealth; and

910 3. Such other special category of vehicles as may be excepted by the ~~Director~~ *Chief Administrator*.

911 **§ 2.2-1175. Responsibilities of Chief Administrator.**

912 The ~~Director~~ *Chief Administrator* shall establish an appropriate administrative unit within the Department
 913 to manage the centralized fleet. The ~~Director's~~ *Chief Administrator's* responsibilities for the centralized fleet
 914 shall include, but not be limited to, the following:

915 1. Administering the assignment of vehicles to officers and employees of the Commonwealth;

916 2. Managing a pool of vehicles for short-term use;

917 3. Purchasing vehicles necessary to the operation of the centralized fleet;

918 4. Repairing and maintaining vehicles;

919 5. Monitoring the use of vehicles and enforcing guidance documents regarding their proper use; and

920 6. Maintaining records related to the operation and maintenance of vehicles, and the administration of the
 921 centralized fleet.

922 **§ 2.2-1176. Approval of purchase, lease, or contract rental of motor vehicle.**

923 A. No motor vehicle shall be purchased, leased, or subject to a contract rental with public funds by the
 924 Commonwealth or by any officer or employee on behalf of the Commonwealth without the prior written
 925 approval of the ~~Director~~ *Chief Administrator*. No lease or contract rental shall be approved by the ~~Director~~
 926 *Chief Administrator* except upon demonstration that the cost of such lease or contract rental plus operating

927 costs of the vehicle shall be less than comparable costs for a vehicle owned by the Commonwealth.

928 Notwithstanding the provisions of this subsection, the Virginia Department of Transportation shall be
929 exempted from the approval of purchase, lease, or contract rental of motor vehicles used directly in carrying
930 out its maintenance, operations, and construction programs.

931 B. Notwithstanding other provisions of law, on or before January 1, 2012, the ~~Director~~ *Chief*
932 ~~Administrator~~, in conjunction with the Secretary of Administration and the Secretary of Natural and Historic
933 Resources, shall establish a plan providing for the replacement of state-owned or operated vehicles with
934 vehicles that operate using natural gas, electricity, or other alternative fuels, to the greatest extent practicable,
935 considering available infrastructure, the location, and use of vehicles, capital, and operating costs, and
936 potential for fuel savings. The plan shall be submitted to the ~~Governor~~ *Board* for his review and approval.
937 Once the plan is *so* approved by the ~~Governor~~, the ~~Director~~ *Chief Administrator* shall implement the plan for
938 the centralized fleet. All state agencies and institutions shall cooperate with the ~~Director~~ *Chief Administrator*
939 in developing and implementing the plan.

940 **§ 2.2-1176.1. Alternative Fuel Vehicle Conversion Fund established.**

941 There is hereby created in the state treasury a special nonreverting fund to be known as the Alternative
942 Fuel Vehicle Conversion Fund, hereinafter referred to as "the Fund." The Fund shall be established on the
943 books of the Comptroller. The Fund shall consist of such moneys appropriated by the General Assembly and
944 any other funds available from donations, grants, in-kind contributions, and other funds as may be received
945 for the purposes stated herein. Interest earned on moneys in the Fund shall remain in the Fund and be credited
946 to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not
947 revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the
948 purposes of assisting agencies of the Commonwealth with the incremental cost of state-owned alternative fuel
949 vehicles and local government and agencies thereof and local school divisions with the incremental cost of
950 such local government-owned alternative fuel vehicles. Moneys in the Fund may be used in conjunction with
951 or as matching funds for any eligible federal grants for the same purpose. Expenditures and disbursements
952 from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written
953 request signed by the ~~Director~~ *Chief Administrator*.

954 As used in this section, "incremental cost" means the entire cost of a certified conversion of an existing
955 vehicle to use at least one alternative fuel or the additional cost of purchasing a new vehicle equipped to
956 operate on at least one alternative fuel over the normal cost of a similar vehicle equipped to operate on a
957 conventional fuel such as gasoline or diesel fuel.

958 The ~~Director~~ *Chief Administrator*, in consultation with the Director of the Department of Energy, shall
959 establish guidelines for contributions and reimbursements from the Fund for the purchase or conversion of
960 state-owned or local government-owned vehicles.

961 **§ 2.2-1176.2. Declaration of policy supporting cost-effective vehicle purchase and lease; total cost of
962 ownership calculator; report.**

963 A. It is the policy of the Commonwealth to encourage and promote the use of cost-effective vehicles by
964 considering the total cost of ownership by agencies of the Commonwealth.

965 B. By October 1, 2022, the Department shall identify a publicly available total cost of ownership
966 calculator that will be used to assess and compare the total cost to purchase, own, lease, and operate light-
967 duty internal combustion-engine vehicles (ICEVs) versus comparable electric vehicles (EVs). Beginning on
968 January 1, 2023, the Department and all agencies of the Commonwealth shall utilize the calculator prior to
969 purchasing or leasing any light-duty vehicles and shall purchase or lease an EV unless the calculator clearly
970 indicates that purchasing or leasing an ICEV has a lower cost of ownership.

971 1. The calculator shall, at a minimum, account for the vehicle's make, model, and age; the average miles
972 traveled per year for similarly used vehicles; the expected life expectancy of the vehicle and average annual
973 depreciation; the upfront and annual costs of purchasing such vehicle and all other costs of vehicle ownership
974 or lease; and all costs the agency must incur to add chargers or other fueling facilities to support such
975 vehicles. The calculator shall be updated at least annually to account for updates in information, including
976 information on the latest light-duty vehicle models available.

977 2. The Department shall make the calculator available to all state and local public bodies and transit
978 agencies. The Department shall also provide technical assistance to such public bodies utilizing the calculator
979 upon request.

980 For purposes of this subsection, "light-duty vehicle" means a motor vehicle with a gross vehicle weight of
981 14,000 pounds or less.

982 C. Beginning January 1, 2026, and every three years thereafter, the Department shall submit to the *Board*,
983 the Governor, and the General Assembly a report summarizing the Department's vehicle procurements and
984 the vehicle procurements of other agencies of the Commonwealth. The report shall, at a minimum, include a
985 compilation of types of vehicles by size, fuel sources, and the total estimated cost savings and avoided
986 emissions attributable to purchasing or leasing of EVs instead of ICEVs.

987 D. Emergency vehicles, as defined in § 46.2-920, and any vehicles used by an agency of the
988 Commonwealth in law-enforcement, incident response, or other emergency response activities shall be

989 exempt from the requirements of this section. The Department may authorize other exemptions from the
 990 requirements of this section upon finding that an EV is not a practicable alternative to an ICEV for a
 991 particular use, or for some other compelling reason.

992 E. The Department shall develop guidance documents regarding the procedure for requesting exemptions
 993 from the requirements of this section and the criteria for evaluating such exemption requests. Before adopting
 994 or revising such guidance documents, the Department shall publish the document on its website and provide a
 995 30-day period for public review and comment.

996 F. The Department may issue any directives or guidance documents or promulgate any regulations as may
 997 be necessary to implement the requirements of this section.

998 **§ 2.2-1177. Transfer of surplus motor vehicles.**

999 The ~~Director~~ *Chief Administrator* may transfer surplus motor vehicles among state agencies, and
 1000 determine the value of such surplus equipment for the purpose of maintaining the financial accounts of the
 1001 state agencies affected by such transfers.

1002 **§ 2.2-1178. Use of passenger-type vehicles on an assigned basis.**

1003 A. Passenger-type vehicles assigned to the centralized fleet may be assigned to persons performing state
 1004 duties only if deemed necessary by the head of the agency or institution requesting such vehicle and approved
 1005 in writing by the ~~Director~~ *Chief Administrator*. Request for such vehicle shall be made in writing on forms
 1006 prepared by the ~~Department of General Services~~ by the head of the agency or institution explaining in detail
 1007 the purpose of or reason for such assignment.

1008 B. Assignments shall be approved by the ~~Director~~ *Chief Administrator* only on the basis of one of the
 1009 following criteria:

1010 1. The vehicle shall be driven not less than the annual usage standard. The ~~Director~~ *Chief Administrator*
 1011 shall promulgate a minimum mileage standard taking into account best value, industry standard practices, and
 1012 the use of alternative transportation methods;

1013 2. The vehicle shall be used by an employee whose duties are routinely related to public safety or
 1014 response to life-threatening situations:

1015 a. A law-enforcement officer as defined in § 9.1-101, with general or limited police powers;

1016 b. An employee whose job duties require the constant use or continuous availability of specialized
 1017 equipment directly related to their routine functions; or

1018 c. An employee on 24-hour call who must respond to emergencies on a regular or continuing basis, and
 1019 emergency response is normally to a location other than the employee's official work station; or

1020 3. The vehicle shall be used for essential travel related to the transportation of clients or wards of the
 1021 Commonwealth on a routine basis, or for essential administrative functions of the agency for which it is
 1022 demonstrated that use of a temporary assignment or personal mileage reimbursement is neither feasible nor
 1023 economical.

1024 C. No assignment shall be for a period exceeding two years except upon review by the ~~Director~~ *Chief
 1025 Administrator* as to the continued need for the assignment.

1026 D. The use of such vehicle shall be limited to official state business.

1027 **§ 2.2-1179. Use of vehicles for commuting.**

1028 No passenger-type vehicle purchased or leased with public funds shall be used to commute between an
 1029 employee's home and official ~~work station~~ *workstation* without the prior written approval of the agency head
 1030 and, in the case of vehicles assigned to the centralized fleet, the ~~Director~~ *Chief Administrator*. The ~~Director~~
 1031 *Chief Administrator* shall establish guidance documents governing such use of vehicles and shall ensure that
 1032 costs associated with such use shall be recovered from employees. Employees who do not report to an official
 1033 ~~work station~~ *workstation* shall not be required to pay for travel between their homes and field sites. Guidance
 1034 documents established by the ~~Director~~ *Chief Administrator* and recovery of costs shall not apply to use of
 1035 vehicles by law-enforcement officers. *By executive order of the Governor Upon written approval of the
 1036 Board*, such guidance documents may extend to all motor vehicles of any type owned by the Commonwealth,
 1037 or such of them as the *Governor Board* may designate.

1038 **§ 2.2-1180. Guidance documents governing state-owned passenger-type vehicles.**

1039 The ~~Director~~ *Chief Administrator* may establish guidance documents for the purchase, use, storage,
 1040 maintenance, repair, and disposal of all passenger-type vehicles owned by the Commonwealth and assigned
 1041 to the centralized fleet. *By executive order of the Governor Upon written approval of the Board*, such
 1042 guidance documents may extend to all motor vehicles of any type owned by the Commonwealth, or such of
 1043 them as the *Governor Board* may designate.

1044 If any state officer, agent, or employee fails to comply with any guidance documents of the ~~Director~~ *Chief
 1045 Administrator* made pursuant to the provisions of this section, the Secretary of Administration shall be so
 1046 notified, and the Comptroller shall, upon request of the Secretary, refuse to issue any warrant or warrants on
 1047 account of expenses incurred, or to be incurred in the purchase, operation, maintenance, or repair of any
 1048 motor vehicle now or to be in the possession or under the control of such officer, agent, or employee, or the
 1049 Secretary of Administration may order the ~~Director~~ *Chief Administrator* to take possession of any such
 1050 vehicle and to return or transfer it to the centralized fleet for assignment or use as prescribed by this chapter.

1051 Regulations previously promulgated by the Commonwealth Transportation Board under the authority granted
1052 by former § 33.1-407 concerning the purchase, use, storage, maintenance, repair, and disposal of all
1053 passenger-type vehicles owned by the Commonwealth and assigned to the centralized fleet shall remain in
1054 effect until the ~~Director~~ *Chief Administrator* establishes replacement guidance documents under the authority
1055 granted by this article.

1056 **§ 2.2-1183. Building standards; exemption; report.**

1057 A. Any executive branch agency or institution entering the design phase for the construction of a new
1058 building greater than 5,000 gross square feet in size, or the renovation of a building where the cost of the
1059 renovation exceeds 50 percent of the value of the building, shall ensure that such building:

1060 1. Is designed, constructed, verified, and operated to comply with the high performance building
1061 certification program and VEES;

1062 2. Has sufficient electric vehicle charging infrastructure. However, the provisions of this subdivision shall
1063 not apply to buildings located in the right-of-way of the Interstate System as that term is defined in
1064 § 33.2-100; and

1065 3. Has features that permit the agency or institution to track the building's energy efficiency and
1066 associated carbon emissions, including metering of all electricity, gas, water, and other utilities.

1067 B. Any executive branch agency or institution may exceed the design and construction standards required
1068 by subsection A, provided that such agency or institution obtains prior written approval from the ~~Director of~~
1069 the *Department Chief Administrator*.

1070 C. The ~~Director of the Department~~ *Chief Administrator* may grant an exemption from the design and
1071 construction standards required by subsection A upon a finding that special circumstances make the
1072 construction or renovation to the standards impracticable. Such exemption shall be made in writing and shall
1073 explain the basis for granting such exemption. If the ~~Director~~ *Chief Administrator* cites cost as a factor in
1074 granting an exemption, the ~~Director~~ *he* shall include a comparison of the cost the agency or institution will
1075 incur over the next 20 years if the agency does not comply with the standards required by subsection A versus
1076 the costs to the agency or institution if the agency or institution were to comply with such standards.

1077 D. Each agency or institution shall submit an annual report to the ~~Governor~~ *Board* by January 1 of each
1078 year detailing the energy-efficiency and associated carbon emissions metrics for each building built or
1079 renovated in accordance with the design and construction standards required by subsection A and completed
1080 during the prior fiscal year.

1081 **§ 2.2-1516. Six-Year Capital Outlay Plan Advisory Committee.**

1082 A. There is hereby established the Six-Year Capital Outlay Plan Advisory Committee. The Advisory
1083 Committee shall consist of the following, or their designees: the Secretary of Finance, the Director of the
1084 Department of Planning and Budget, the ~~Director~~ *Chief Administrator* of the Department of General Services,
1085 the Executive Director of the State Council of Higher Education for Virginia, and the staff directors of the
1086 House Committee on Appropriations and the Senate Committee on Finance and Appropriations.

1087 B. 1. On or before November 1, 2008, the Advisory Committee shall submit to the Governor and the
1088 ~~Chairman~~ *Chairs* of the House Committee on Appropriations and the ~~Chairman~~ *of the Senate Committee on*
1089 *Finance and Appropriations* a proposed list of new capital outlay projects (and previously planned or
1090 authorized capital outlay projects) to be funded entirely or partially from general fund-supported resources for
1091 the six fiscal years beginning July 1, 2009.

1092 2. The list shall include projects by agency, in priority order for each agency. In determining priorities, the
1093 Advisory Committee shall consider, but not be limited to, the following:

1094 a. Projects that address safety, health, regulatory, security, environmental requirements, or accreditation;

1095 b. Projects to upgrade or replace major mechanical systems and utility infrastructure;

1096 c. Projects to renovate or maintain existing facilities;

1097 d. Projects to construct, expand, or acquire facilities in order to meet programmatic needs;

1098 e. For public institutions of higher education, projects that meet State Council of Higher Education for
1099 Virginia recommendations or guideline parameters;

1100 f. Projects that improve energy efficiency;

1101 g. Projects that are listed on, or eligible to be listed on, the Virginia Landmarks Register;

1102 h. Renovation projects for which a facility condition assessment has been completed; and

1103 i. Projects previously planned.

1104 3. The list shall:

1105 a. Identify each capital outlay project;

1106 b. Describe the scope and nature of the project; and

1107 c. Include any other information that the Advisory Committee deems useful.

1108 C. Beginning in 2011, on or before November 1 of each year, the Advisory Committee shall make
1109 recommendations to the Governor and the ~~Chairman~~ *Chairs* of the House Committee on Appropriations and
1110 the ~~Chairman~~ *of the Senate Committee on Finance and Appropriations* of any changes to the current six-year
1111 capital outlay plan (described in § 2.2-1518), and of project funding, including adjusting the fiscal years
1112 covered by the plan so that the plan will cover the six fiscal years beginning July 1 of the following year.

1113 § 2.2-1517. Agency submission of information.

1114 A. In addition to all other reporting requirements imposed upon state agencies and public educational
 1115 institutions provided under law, state agencies and public educational institutions shall submit information as
 1116 determined by the Advisory Committee for the initial development of the capital outlay project list as
 1117 described in § 2.2-1516, as well as for the annual modifications to the six-year capital outlay plan described
 1118 in § 2.2-1518. The information for the annual modifications shall include, but not be limited to, changes in
 1119 cost estimates.

1120 B. On or before January 30 each year, the *Director Chief Administrator* of the Department of General
 1121 Services, on behalf of the Advisory Committee, shall advise state agencies and public educational institutions
 1122 of the content, format, and method established by the Advisory Committee for submitting the information
 1123 described in subsection A.

1124 C. State agencies and public educational institutions shall submit the information, in the manner
 1125 prescribed by the *Director Chief Administrator* of the Department of General Services on behalf of the
 1126 Advisory Committee pursuant to subsection B, to the Department of General Services and the Department of
 1127 Planning and Budget on or before March 30 each year. In addition, public educational institutions shall
 1128 submit the information to the State Council of Higher Education.

1129 D. The Department of Planning and Budget, the Department of General Services, and the staff of the State
 1130 Council of Higher Education shall review the information submitted and shall submit the information and the
 1131 results of their review, in the manner prescribed by the Advisory Committee, to the Advisory Committee on
 1132 or before June 30 each year.

1133 § 2.2-1519. Implementation of certain capital outlay projects.

1134 A. 1. The Central Capital Planning Fund, the State Agency Capital Account, and the Public Educational
 1135 Institution Capital Account established pursuant to § 2.2-1520 shall be used to fund capital outlay projects
 1136 included in the six-year capital outlay plan enacted into law.

1137 2. In addition, public educational institutions and state agencies may request authority and appropriation
 1138 to conduct pre-planning for any such project using nongeneral fund sources. Such costs may be reimbursed
 1139 up to the lesser of \$250,000 or one percent of the project construction costs.

1140 B. A Virginia-based contractor who does not have the same number of years of comparable experience
 1141 under construction management or design-build shall not be penalized for having less comparable experience
 1142 in construction management or design-build projects, provided such contractor does have significant
 1143 experience in constructing comparable projects under design-bid-build. The procuring entity shall consider
 1144 the experience and quality of work that a contractor has done on projects comparable to the project being
 1145 procured, whether under construction management, design-build, or design-bid-build. These factors shall be
 1146 considered by the procuring entity in making its decisions in a pre-qualification or a contractor selection
 1147 process.

1148 C. If at any time during the detailed planning phase the total cost of a capital outlay project is estimated to
 1149 exceed a threshold amount set forth in the general appropriation act for the required use of value engineering,
 1150 then value engineering shall be utilized for such project. Each agency and public educational institution shall
 1151 retain documentation of the value engineering process conducted for any project, including documentation
 1152 relating to (i) recommendations offered to the agency or institution, (ii) recommendations accepted and
 1153 rejected by the agency or institution, and (iii) any savings to the agency or institution resulting from the
 1154 adoption of each recommendation.

1155 D. For capital outlay projects for which an appropriation is made to the State Agency Capital Account or
 1156 the Public Educational Institution Capital Account, after an agency or public educational institution has
 1157 received authorization to move to the construction phase of a project, the Director of the Department of
 1158 Planning and Budget shall transfer sufficient appropriation from the State Agency Capital Account or the
 1159 Public Educational Institution Capital Account, as appropriate.

1160 E. 1. Prior to an agency or public educational institution awarding a construction contract for a project, the
 1161 *Director Chief Administrator* of the Department of General Services shall review the lowest bid or best
 1162 proposal for the project. If the total amount of such bid or proposal, plus previously expended funds and a
 1163 reasonable allowance for contingencies, does not exceed 105 percent of the general fund-supported resources
 1164 for the project as determined during the detailed planning phase, the *Director Chief Administrator* of the
 1165 Department of General Services and the Director of the Department of Planning and Budget may approve the
 1166 contract. If the total amount of such bid or proposal, plus previously expended funds and a reasonable
 1167 allowance for contingencies, exceeds 105 percent of the general fund-supported resources for the project, the
 1168 *Directors Chief Administrator and the Director* shall not approve the contract unless funding of that portion
 1169 of such total project cost in excess of 105 percent of the general fund-supported resources allocated to the
 1170 project is from nongeneral fund sources such as private funds, gifts, grants, auxiliary funds, or federal funds
 1171 as appropriate.

1172 2. If an agency or public educational institution is unable to procure funding from nongeneral fund
 1173 sources for that portion of such total project cost in excess of 105 percent of the general fund-supported
 1174 resources allocated to the project, then the agency or institution may reduce the size or scope of the project as

1175 necessary to remain within 105 percent of the general fund-supported resources allocated to the project,
1176 provided that (i) it has completed a value engineering review by or in collaboration with the Department of
1177 General Services, (ii) it has provided a written, detailed analysis of the proposed reduction to the Governor
1178 and to the ~~Chairmen~~ Chairs of the House Committee on Appropriations and Senate Committee on Finance
1179 Committees and Appropriations, and (iii) the project after such reduction in size or scope is substantially
1180 similar in quality and functionality to the original project.

1181 3. An agency or public educational institution may request a supplemental allocation of general
1182 fund-supported resources through the budget process only if it submits a written certification to the ~~Chairmen~~
1183 Chairs of the House Committee on Appropriations and Senate Committee on Finance Committees and
1184 Appropriations, the ~~Director~~ Chief Administrator of the Department of General Services, the Director of the
1185 Department of Planning and Budget, and, for public institutions of higher education only, the Executive
1186 Director of the State Council of Higher Education, which certification (i) states that additional funding from
1187 nongeneral fund sources as described in subdivision 1 will be insufficient to pay for the full amount of the
1188 project cost that is in excess of 105 percent of the general fund-supported resources allocated to the project
1189 and (ii) provides a detailed analysis and description of the project as modified for a reduction in size or scope
1190 as described in subdivision 2 as well as a justification for why such modifications in size or scope cannot be
1191 achieved.

1192 4. Nothing in this section shall preclude an agency or public educational institution from providing for re-
1193 design or additional value engineering of projects or re-bidding or re-submitting of proposals.

1194 5. No construction contract for a capital outlay project included in the six-year capital outlay plan enacted
1195 into law shall be awarded unless first approved by the ~~Director~~ Chief Administrator of the Department of
1196 General Services and the Director of the Department of Planning and Budget.

1197 F. After a project has been approved by the ~~Director~~ Chief Administrator of the Department of General
1198 Services and the Director of the Department of Planning and Budget, the Director of the Department of
1199 Planning and Budget shall transfer to the project the remaining funds needed for construction from the State
1200 Agency Capital Account or the Public Educational Institution Capital Account, as appropriate.

1201 *Article 31.*

1202 *General Services Board.*

1203 **§ 2.2-2499.9. General Services Board; membership; terms; quorum; compensation; staff; powers and
1204 duties.**

1205 A. The General Services Board (the Board) is hereby established as a supervisory board within the
1206 meaning of § 2.2-2100 in the executive branch of state government. The Board shall be responsible for the
1207 administration and enforcement of the Department of General Services and the provisions of Chapter 11
1208 (§ 2.2-1100 et seq.).

1209 B. 1. The Board shall consist of nine members that include five nonlegislative citizen members and four ex
1210 officio members as follows: (i) one nonlegislative citizen member appointed by the Governor, (ii) two
1211 nonlegislative citizen members appointed by the Senate Committee on Rules, (iii) two nonlegislative citizen
1212 members appointed by the Speaker of the House of Delegates, (iv) two department or agency heads appointed
1213 by the Governor to serve ex officio, (v) one department or agency head appointed by the Senate Committee
1214 on Rules to serve ex officio, and (vi) one department or agency head appointed by the Speaker of the House
1215 of Delegates to serve ex officio.

1216 2. Following the initial staggering of terms, nonlegislative citizen members shall be appointed for terms of
1217 five years. The ex officio members of the Board shall serve terms coincident with their respective terms of
1218 office with voting privileges. Appointments to fill vacancies other than by expiration of a term shall be for the
1219 unexpired terms. All members may be reappointed. However, no nonlegislative citizen member shall serve
1220 more than two consecutive five-year terms. The remainder of any term to which a member is appointed to fill
1221 a vacancy shall not constitute a term for purposes of determining the member's eligibility for reappointment.
1222 Vacancies shall be filled in the same manner as the original appointments.

1223 C. The Board shall elect its chair and vice-chair from among its members for two-year terms. A majority
1224 of the members shall constitute a quorum. The Board shall meet at least six times each year. The meetings of
1225 the Board shall be held at the call of the chair or whenever the majority of the members so request.

1226 D. Nonlegislative citizen members shall receive such compensation for the performance of their duties as
1227 provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred
1228 in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Funding for the costs of
1229 compensation and expenses of the members shall be provided by the Department of General Services.

1230 E. The disclosure requirements of subsection A of § 2.2-3114 of the State and Local Government Conflict
1231 of Interests Act (§ 2.2-3100 et seq.) shall apply to nonlegislative citizen members of the Board.

1232 F. The Department of General Services shall serve as staff to the Board.

1233 G. The Board shall have the power and duty to:

1234 1. Appoint and direct the conduct of the Chief Administrator as the chief administrative officer of the
1235 Board in overseeing the operation of the Department of General Services pursuant to § 2.2-1100;

1236 2. Adopt rules and procedures for the conduct of its business;

1237 3. *Adopt resolutions or regulations conferring upon the Chief Administrator all such powers, authorities,*
 1238 *and duties as the Board deems necessary or proper to carry out the purposes of Chapter 11 (§ 2.2-1100 et*
 1239 *seq.);*

1240 4. *Approve or disapprove of any strategies, standards, recommendations, or actions from the Chief*
 1241 *Administrator related to carrying out the purposes of Chapter 11 (§ 2.2-1100 et seq.); and*

1242 5. *Establish rules, policies, and standards to govern the administration and enforcement of the provisions*
 1243 *of Chapter 11 (§ 2.2-1100 et seq.).*

1244 **§ 2.2-4303. Methods of procurement.**

1245 A. All public contracts with nongovernmental contractors for the purchase or lease of goods, or for the
 1246 purchase of services, insurance, or construction, shall be awarded after competitive sealed bidding; or
 1247 competitive negotiation as provided in this section, unless otherwise authorized by law. All state public
 1248 bodies accepting bids or proposals for contracts pursuant to this chapter shall provide an option to submit bids
 1249 or proposals through the Commonwealth's statewide electronic procurement system, known as eVA. The
 1250 ~~Director~~ Chief Administrator of the Department of General Services, or his designee, may grant an exemption
 1251 from such requirement at the request of a state public body and upon a showing of good cause. All local
 1252 public bodies shall provide an option to submit bids or proposals through eVA or other electronic means. In
 1253 cases where bids or proposals are submitted electronically, the local public body may also require a certain
 1254 number of paper submissions for review purposes.

1255 B. Professional services shall be procured by competitive negotiation.

1256 C. Goods, services other than professional services, and insurance may be procured by competitive sealed
 1257 bidding or competitive negotiation.

1258 Upon a written determination made in advance by (i) the ~~Governor or his designee~~ General Services
 1259 Board in the case of a procurement by the Commonwealth or by a department, agency, or institution thereof
 1260 or (ii) the local governing body in the case of a procurement by a political subdivision of the Commonwealth,
 1261 that competitive negotiation is either not practicable or not fiscally advantageous, insurance may be procured
 1262 through a licensed agent or broker selected in the manner provided for the procurement of things other than
 1263 professional services set forth in § 2.2-4302.2. The basis for this determination shall be documented in
 1264 writing.

1265 D. Construction may be procured only by competitive sealed bidding, except that competitive negotiation
 1266 may be used in the following instances:

1267 1. By any public body on a fixed price design-build basis or construction management basis as provided in
 1268 Chapter 43.1 (§ 2.2-4378 et seq.); or

1269 2. By any public body for the construction of highways and any draining, dredging, excavation, grading or
 1270 similar work upon real property upon a determination made in advance by the public body and set forth in
 1271 writing that competitive sealed bidding is either not practicable or not fiscally advantageous to the public,
 1272 which writing shall document the basis for this determination.

1273 E. Upon a determination in writing that there is only one source practicably available for that which is to
 1274 be procured, a contract may be negotiated and awarded to that source without competitive sealed bidding or
 1275 competitive negotiation. The writing shall document the basis for this determination. The public body shall
 1276 issue a written notice stating that only one source was determined to be practicably available, and identifying
 1277 that which is being procured, the contractor selected, and the date on which the contract was or will be
 1278 awarded. This notice shall be posted on the Department of General Services' central electronic procurement
 1279 website or other appropriate websites, and in addition, public bodies may publish in a newspaper of general
 1280 circulation on the day the public body awards or announces its decision to award the contract, whichever
 1281 occurs first. Posting on the Department of General Services' central electronic procurement website shall be
 1282 required of any state public body. Local public bodies are encouraged to utilize the Department of General
 1283 Services' central electronic procurement website to provide the public with centralized visibility and access to
 1284 the Commonwealth's procurement opportunities.

1285 F. In case of emergency, a contract may be awarded without competitive sealed bidding or competitive
 1286 negotiation; however, such procurement shall be made with such competition as is practicable under the
 1287 circumstances. A written determination of the basis for the emergency and for the selection of the particular
 1288 contractor shall be included in the contract file. The public body shall issue a written notice stating that the
 1289 contract is being awarded on an emergency basis, and identifying that which is being procured, the contractor
 1290 selected, and the date on which the contract was or will be awarded. This notice shall be posted on the
 1291 Department of General Services' central electronic procurement website or other appropriate websites, and in
 1292 addition, public bodies may publish in a newspaper of general circulation on the day the public body awards
 1293 or announces its decision to award the contract, whichever occurs first, or as soon thereafter as is practicable.
 1294 Posting on the Department of General Services' central electronic procurement website shall be required of
 1295 any state public body. Local public bodies are encouraged to utilize the Department of General Services'
 1296 central electronic procurement website to provide the public with centralized visibility and access to the
 1297 Commonwealth's procurement opportunities.

1298 G. A public body may establish purchase procedures, if adopted in writing, not requiring competitive

1299 sealed bids or competitive negotiation for single or term contracts for:

1300 1. Goods and services other than professional services, if the aggregate or the sum of all phases is not
1301 expected to exceed \$200,000, and non-transportation-related construction, if the aggregate or the sum of all
1302 phases is not expected to exceed \$300,000; and

1303 2. Transportation-related construction, if the aggregate or sum of all phases is not expected to exceed
1304 \$25,000.

1305 However, such small purchase procedures shall provide for competition wherever practicable.

1306 Such purchase procedures may allow for single or term contracts for professional services without
1307 requiring competitive negotiation, provided the aggregate or the sum of all phases is not expected to exceed
1308 \$80,000.

1309 Where small purchase procedures are adopted for construction, the procedures shall not waive compliance
1310 with the Uniform State Building Code.

1311 For state public bodies, informal solicitations conducted under this subsection shall require the posting of
1312 a public notice on the Department of General Services' central electronic procurement website. Local public
1313 bodies are encouraged to utilize the Department of General Services' central electronic procurement website
1314 to provide the public with centralized visibility and access to the Commonwealth's procurement
1315 opportunities.

1316 H. Upon a determination made in advance by a public body and set forth in writing that the purchase of
1317 goods, products, or commodities from a public auction sale is in the best interests of the public, such items
1318 may be purchased at the auction, including online public auctions. Purchase of information technology and
1319 telecommunications goods and nonprofessional services from a public auction sale shall be permitted by any
1320 authority, department, agency, or institution of the Commonwealth if approved by the Chief Information
1321 Officer of the Commonwealth. The writing shall document the basis for this determination. However, bulk
1322 purchases of commodities used in road and highway construction and maintenance, and aggregates shall not
1323 be made by online public auctions.

1324 I. The purchase of goods or nonprofessional services, but not construction or professional services, may
1325 be made by reverse auctioning. However, bulk purchases of commodities used in road and highway
1326 construction and maintenance, and aggregates shall not be made by reverse auctioning.

1327 **§ 2.2-4311.2. Compliance with state law; foreign and domestic businesses authorized to transact
1328 business in the Commonwealth.**

1329 A. All public bodies shall include in every written contract a provision that a contractor organized as a
1330 stock or nonstock corporation, limited liability company, business trust, or limited partnership or registered as
1331 a registered limited liability partnership shall be authorized to transact business in the Commonwealth as a
1332 domestic or foreign business entity if so required by Title 13.1 or Title 50 or as otherwise required by law.

1333 B. Pursuant to competitive sealed bidding or competitive negotiation, all public bodies shall include in the
1334 solicitation a provision that requires a bidder or offeror organized or authorized to transact business in the
1335 Commonwealth pursuant to Title 13.1 or Title 50 to include in its bid or proposal the identification number
1336 issued to it by the State Corporation Commission. Any bidder or offeror that is not required to be authorized
1337 to transact business in the Commonwealth as a foreign business entity under Title 13.1 or Title 50 or as
1338 otherwise required by law shall include in its bid or proposal a statement describing why the bidder or offeror
1339 is not required to be so authorized.

1340 C. Any bidder or offeror described in subsection B that fails to provide the required information shall not
1341 receive an award unless a waiver of this requirement and the administrative policies and procedures
1342 established to implement this section is granted by the *Director* *Chief Administrator* of the Department of
1343 General Services or his designee or by the chief executive of a local governing body.

1344 D. Any business entity described in subsection A that enters into a contract with a public body pursuant to
1345 this chapter shall not allow its existence to lapse or its certificate of authority or registration to transact
1346 business in the Commonwealth, if so required under Title 13.1 or Title 50, to be revoked or cancelled at any
1347 time during the term of the contract.

1348 E. A public body may void any contract with a business entity if the business entity fails to remain in
1349 compliance with the provisions of this section.

1350 **§ 10.1-112. Capital improvement projects.**

1351 The Director is authorized to make and execute leases and contracts in the name of the Commonwealth
1352 for the development and operation of revenue-producing capital improvement projects in Virginia state parks
1353 upon the written approval of the Governor. Prior to approval, the Governor shall consider the written
1354 recommendation of the *Director* *Chief Administrator* of the Department of General Services and the Attorney
1355 General shall review such leases and contracts as to form.

1356 Any contract or lease for the development and operation of the capital improvement project shall be in
1357 accordance with the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq.). The accepted
1358 bidder shall give a performance bond for the construction, operation and maintenance of the project with
1359 good and sufficient surety in an amount fixed by the Director for the faithful performance of the conditions
1360 and covenants of such lease or contract.

1361 Such lease or contract, with an initial term not exceeding 30 years, shall be subject to terms, conditions,
 1362 and limitations as the Director may prescribe and may be renewed with the approval of the Director. The
 1363 proceeds arising from a contract or lease executed pursuant to this section shall be paid into the State Park
 1364 Conservation Resources Fund established in subsection A of § 10.1-202.

1365 **§ 10.1-659. Flood protection programs; coordination.**

1366 A. The provisions of this chapter shall be coordinated with the Virginia Coastal Resilience Master Plan,
 1367 the Virginia Flood Protection Master Plan, and federal, state, and local flood prevention and water quality
 1368 programs to minimize loss of life, property damage, and negative impacts on the environment. This program
 1369 coordination shall include but not be limited to the following: flood prevention, flood plain management,
 1370 small watershed protection, dam safety, shoreline erosion and public beach preservation, and soil
 1371 conservation programs of the Department of Conservation and Recreation; the construction activities of the
 1372 Department of Transportation, including projects that result in hydrologic modification of rivers, streams, and
 1373 flood plains; the nontidal wetlands, water quality, Chesapeake Bay Preservation Area criteria, stormwater
 1374 management, erosion and sediment control, and other water management programs of the State Water
 1375 Control Board; the Virginia Coastal Zone Management Program at the Department of Environmental Quality;
 1376 forested watershed management programs of the Department of Forestry; the agricultural stewardship,
 1377 farmland preservation, and disaster assistance programs of the Department of Agriculture and Consumer
 1378 Services; the statewide building code and other land use control programs of the Department of Housing and
 1379 Community Development; the habitat management programs of the Virginia Marine Resources Commission;
 1380 the hazard mitigation planning and disaster response programs of the Department of Emergency
 1381 Management; the fish and wildlife habitat protection programs of the Department of Wildlife Resources; the
 1382 mineral extraction regulatory program of the Department of Energy; the flood plain restrictions of the
 1383 Virginia Waste Management Board; flooding-related research programs of the state universities; local
 1384 government assistance programs of the Virginia Soil and Water Conservation Board; the Virginia Antiquities
 1385 Act program of the Department of Historic Resources; the public health and preparedness programs of the
 1386 Virginia Department of Health; the State Council of Higher Education for Virginia; the State Corporation
 1387 Commission; and any other state agency programs deemed necessary by the Director, and the Chief
 1388 Resilience Officer of the Commonwealth. The Department shall also coordinate with soil and water
 1389 conservation districts, Virginia Cooperative Extension agents, and planning district commissions, and shall
 1390 coordinate and cooperate with localities in rendering assistance to such localities in their efforts to comply
 1391 with the planning, subdivision of land, and zoning provisions of Chapter 22 (§ 15.2-2200 et seq.) of Title
 1392 15.2.

1393 B. The Director, in coordination with the Chief Resilience Officer of the Commonwealth, shall hold
 1394 meetings of representatives of the programs, entities, and localities described in subsection A at least annually
 1395 in order to determine, coordinate, and prioritize the Commonwealth's efforts and expenditures to increase
 1396 flooding resilience and flood preparedness and to implement the Virginia Coastal Resilience Master Plan and
 1397 the Virginia Flood Protection Master Plan. The Department shall review any revisions to the Virginia Flood
 1398 Protection Master Plan and provide an update on the progress of the implementation of the Virginia Coastal
 1399 Resilience Master Plan at any such meetings. The Department shall cooperate with other public and private
 1400 agencies having flood plain management programs and shall coordinate its responsibilities under this article
 1401 and any other law. These activities shall constitute the Commonwealth's flood resilience, preparedness,
 1402 prevention, and protection program.

1403 C. 1. The Chief Resilience Officer, in coordination with the Special Assistant to the Governor for Coastal
 1404 Adaptation and Protection and the Director, shall establish the Virginia Coastal Resilience Technical
 1405 Advisory Committee (the Committee) to assist with developing, updating, and implementing the Virginia
 1406 Coastal Resilience Master Plan.

1407 2. The Committee shall be comprised of representatives of state agencies, coastal planning district
 1408 commissions, regional commissions, academic advisors, and any other representatives as needed. Members
 1409 shall serve at the pleasure of the Governor and shall include the following individuals or their designees: the
 1410 executive directors of coastal planning district commissions and regional commissions; the Special Assistant
 1411 to the Governor for Coastal Adaptation and Protection; the Director; the Director of the Virginia Department
 1412 of Emergency Management; the Director of the Virginia Department of Housing and Community
 1413 Development; the Executive Director of the Virginia Resources Authority; the Director of the Department of
 1414 Environmental Quality; the Commissioner of the Virginia Department of Transportation; the Director of the
 1415 Virginia Transportation Research Council; the Commissioner of the Virginia Marine Resources Commission;
 1416 the Director of the Institute for Coastal Adaptation and Resilience; the Associate Dean for Research and
 1417 Advisory Services at the Virginia Institute of Marine Science; the Director of the William and Mary School
 1418 of Law Coastal Policy Center; the Director of the Virginia Tech Center for Coastal Studies; the Director of
 1419 the Environmental Resilience Institute at the University of Virginia; the Director of Virginia Sea Grant; the
 1420 Director of Diversity, Equity, and Inclusion; and the Chief Data Officer of the Commonwealth. The Chief
 1421 Resilience Officer shall serve as ~~chairman~~ chair of the Committee.

1422 3. The Chief Resilience Officer shall invite participation by the Commander of the U.S. Army Corps of

1423 Engineers, Norfolk District; the Commander of the Navy Region Mid-Atlantic; and representatives of the
1424 seven federally recognized Tribal Nations indigenous to the Commonwealth of Virginia.

1425 4. Appointed members shall serve in an advisory role without compensation.

1426 5. The Committee shall meet at least quarterly.

1427 6. The Department, the Special Assistant to the Governor for Coastal Adaptation and Protection, and the
1428 Coastal Zone Management Program shall provide staff support to the Committee.

1429 7. The Committee shall ensure that (i) risk evaluations and project prioritization protocols are regularly
1430 updated and are informed by the best applicable scientific and technical data; (ii) statewide and regional
1431 needs are addressed using the best applicable science and long-term resilience approaches; and (iii) the
1432 Virginia Coastal Resilience Master Planning Framework is adhered to in the development and updating of the
1433 Virginia Coastal Resilience Master Plan. The Committee shall also review updates to the Virginia Coastal
1434 Resilience Master Plan and receive updates about the progress of the Virginia Flood Protection Master Plan
1435 at each meeting. Additionally, the Committee may be called upon to assist the Department with the
1436 development and updating of the Virginia Flood Protection Master Plan.

1437 D. 1. The Director, in coordination with the Chief Resilience Officer of the Commonwealth, shall
1438 establish the Virginia Flood Resilience Advisory Committee (the Committee) to assist with developing,
1439 updating, and implementing the Virginia Flood Protection Master Plan pursuant to § 10.1-602 and
1440 implementing the Commonwealth's flood resilience, preparedness, prevention, and protection programs.

1441 2. The Committee shall be composed of the following individuals representing state agencies, or their
1442 designees: the Director, the Chief Resilience Officer of the Commonwealth, the Director of the Department
1443 of Emergency Management, the Director of the Department of Housing and Community Development, the
1444 Executive Director of the Virginia Resources Authority, the Director of the Department of Environmental
1445 Quality, the Commissioner of the Department of Transportation, the Director of the Office of Intermodal
1446 Planning and Investment, the Commissioner of Marine Resources, the ~~Director~~ *Chief Administrator* of the
1447 Department of General Services, the Virginia Director of the Chesapeake Bay Commission, and the Director
1448 of Diversity, Equity, and Inclusion. Committee membership shall also include one representative from each
1449 of the following: the Virginia Association of Planning District Commissions, the Virginia Municipal League,
1450 and the Virginia Association of Counties. The Director may invite participation by other representatives as
1451 deemed appropriate. The Director shall serve as ~~chairman~~ *chair* of the Committee. The Chief Resilience
1452 Officer of the Commonwealth shall serve as ~~vice-chairman~~ *vice-chair* of the Committee.

1453 3. Members appointed to the Committee shall serve in an advisory role without compensation.

1454 4. The Committee shall meet at least two times per calendar year.

1455 5. The Department shall provide staff support to the Committee.

1456 6. The Committee shall receive updates to the Virginia Flood Protection Master Plan, the Coastal
1457 Resilience Master Plan, and other regional flood resilience plans. The Committee shall advise the Department
1458 on (i) assessing the impacts of flooding on people, the economy, and the environment; (ii) establishing and
1459 measuring flood resilience goals and metrics for the Commonwealth; (iii) prioritizing state policies,
1460 programs, funding, and other strategies to mitigate the impacts of severe and repetitive flooding; (iv)
1461 enhancing intergovernmental and interagency coordination for flood resilience planning and strategy
1462 implementation; (v) conducting stakeholder outreach and engagement in support of flood resilience planning
1463 and implementation; (vi) assisting local governments to minimize loss of life, property damage, and negative
1464 impacts on the environment resulting from flooding; and (vii) issues relating to the Virginia Flood Protection
1465 Master Plan in accordance with the requirements established in § 10.1-602.

1466 7. The Director may establish subcommittees or other bodies to advise on the development and
1467 implementation of the Coastal Resilience Master Plan and other regional flood resilience plans.

1468 8. The Department shall engage with the following entities in the development of the Virginia Flood
1469 Protection Master Plan: the federally recognized Tribal Nations indigenous to the Commonwealth, the
1470 flooding-related research programs of institutions of higher education in the Commonwealth, the agricultural
1471 community, the economic development community, environmental nonprofit organizations, local
1472 governments, planning district commissions, regional commissions, the Commander of the U.S. Army Corps
1473 of Engineers for each district that includes a portion of the Commonwealth, the Commander of the U.S. Navy
1474 Region Mid-Atlantic, and other federal facilities located within the Commonwealth.

1475 **§ 27-5.5. Plans of certain state structures to be submitted to local governing bodies; access of local
1476 fire officials to state structures; corrective actions.**

1477 A. Any agency, commission, or institution of the Commonwealth engaging in the construction or
1478 renovation of a structure, the cost of which exceeds \$25,000, shall submit, prior to the initiation of such
1479 construction or renovation, preliminary and working plans and specifications to the governing body, or its
1480 designee, of the political subdivision in which the structure is or will be located, provided that such governing
1481 body has submitted a written request for such plans and specifications to the ~~Director~~ *Chief Administrator* of
1482 the Department of General Services and to such agency, commission, or institution.

1483 B. Every agency, commission, or institution of the Commonwealth shall permit, at all reasonable hours, a
1484 local fire official reasonable access to existing structures or a structure under construction or renovation, for

1485 the purposes of performing an informational and advisory fire safety inspection. The local fire official may
 1486 submit, subsequent to performing such inspection, his findings and recommendations including a list of
 1487 corrective actions necessary to ensure that such structure is reasonably safe from the hazards of fire to the
 1488 appropriate official of such agency, commission, or institution, the *Director Chief Administrator* of the
 1489 Department of General Services, and the State Fire Marshal. Such agency, commission, or institution shall
 1490 notify, within ~~sixty~~ 60 days of receipt of such findings and recommendations, the *Director Chief*
 1491 *Administrator* of the Department of General Services, the State Fire Marshal, and the local fire official of the
 1492 corrective measures taken to eliminate the hazards reported by the local fire official. The State Fire Marshal
 1493 shall have the same power in the enforcement of this section as is provided for the enforcement of the
 1494 Statewide Fire Prevention Code (§ 27-94 et seq.).

§ 30-194. Powers and duties of the Council; Chief Administrative Officer; annual report.

1495 A. With regard to the architectural, historical, archeological, and landscape features of Capitol Square and
 1496 antiquities contained therein, the Council shall:

1497 1. Inventory and assess their condition;

1498 2. Develop plans and recommendations for their maintenance and preservation and for the enhancement
 1499 of their historical and architectural integrity;

1500 3. Develop recommendations for the promotion of activities and efforts that will enhance interpretive and
 1501 educational opportunities;

1502 4. Review all plans or proposals for alterations, improvements, additions, renovations, or other disposition
 1503 that is structural or architectural in nature. No implementation of such plans or proposals shall take place
 1504 prior to review by the Council. The Council shall report its findings on each plan or proposal to the Governor
 1505 and the agency responsible for the plan or proposal. However, the Council's Chief Administrative Officer and
 1506 the *Director Chief Administrator* of the Department of General Services shall enter into a memorandum of
 1507 agreement describing the type of plans and proposals that are of such a routine or operational nature to not
 1508 require review by the Council; and

1509 5. Review and approve all plans or proposals for alterations, improvements, additions, or renovations to,
 1510 or other disposition of, any monuments, statuary, artwork, or other historical artifacts contained within the
 1511 Capitol Building, including within the Rotunda, the old Senate chamber, and the old hall of the House of
 1512 Delegates, and excluding the new Senate chamber and the new hall of the House of Delegates, office space,
 1513 and any other area designated as legislative space that is not open to the public. Nothing in this subdivision
 1514 shall apply to the personal belongings of any employee or elected or appointed official working within the
 1515 Capitol Building.

1516 B. The Council may employ a Chief Administrative Officer and determine his duties and compensation
 1517 within the amounts appropriated therefor. The Chief Administrative Officer shall be qualified to carry out the
 1518 duties to which he is assigned and shall work at the pleasure of the Council. The Council may also obtain
 1519 such assistance as it may deem necessary, and may employ, within the amounts appropriated therefor, experts
 1520 who have special knowledge of the issues before the Council.

1521 C. The Council may enter into partnerships, joint ventures, and other collaborative relationships with
 1522 organizations in furtherance of the Council's duties.

1523 D. The Council may, unless otherwise restricted by the Governor or the General Assembly, under terms
 1524 approved by the Attorney General, accept gifts and grants in furtherance of its duties. This provision shall be
 1525 deemed to be in addition to and not in conflict with any other powers or authorities related to the acceptance
 1526 of gifts and grants under other provisions of this Code.

1527 E. The Council may enter into contracts in the furtherance of its duties in accordance with the Virginia
 1528 Public Procurement Act (§ 2.2-4300 et seq.).

1529 F. Neither the Council nor its staff in fulfilling their responsibilities shall act in a manner inconsistent with
 1530 subsection A of § 2.2-1144.

1531 G. The Council shall make a report on its activities and recommendations, if any, annually by December 1
 1532 to the Governor and the General Assembly. The Council shall make such further interim reports to the
 1533 Governor and the General Assembly as it deems advisable or as required by the General Assembly.

**§ 30-280. Submission by responsible public entities of detailed proposals for qualifying projects;
 1534 exclusion of certain qualifying projects; review of detailed proposals; copies of interim and
 1535 comprehensive agreements to be provided.**

1536 A. Each responsible public entity receiving detailed proposals from private entities for a qualifying project
 1537 shall provide copies of such proposals to the Chairman of the Commission, the *chairmen Chairs* of the House
 1538 Committee on Appropriations, House Committee on Finance, and Senate Committee on Finance and
 1539 Appropriations or their designees, and the *Director Chief Administrator* of the Department of General
 1540 Services prior to entering into the negotiation of an interim or comprehensive agreement.

1541 B. The following qualifying projects shall not be subject to review by the Commission:

1542 1. Any proposed qualifying project with a total cost of less than \$3 million.

1543 2. Any proposed qualifying project with a total cost of ~~more than~~ \$3 million *or more* but less than \$50
 1544 million for which funds have been specifically appropriated as a public-private partnership in the general

1547 appropriation act or capital construction projects that have been authorized in the appropriation act, provided
1548 such project does not increase in size more than five percent beyond the plans and justifications that were the
1549 basis of the appropriation. For any qualifying project that will be completed in phases and for which no
1550 appropriation has been made for phases other than the current phase of the project, the Commission may
1551 undertake additional reviews of such projects.

1552 C. Within 10 days of receipt of a complete copy of the detailed proposals for a qualifying project, the
1553 Commission shall determine whether to accept or decline such proposals for review and notify the
1554 responsible public entity of its decision. If the Commission accepts a proposal for review, the findings and
1555 recommendations of the Commission shall be provided to the responsible public entity within 45 days of
1556 receiving complete copies of the detailed proposals. If no findings or recommendations are provided by the
1557 Commission to the responsible public entity within the 45-day period, the Commission shall be deemed to
1558 have no findings or recommendations. Upon acceptance for review, the responsible public entity shall
1559 provide any additional information regarding the qualifying project upon the request of the Commission,
1560 provided such information is available to or can be obtained by the responsible public entity.

1561 D. The Commission shall review accepted detailed proposals and provide findings and recommendations
1562 to the responsible public entity, including (i) whether the terms and conditions of the proposals and proposed
1563 qualifying project create state tax-supported debt taking into consideration the specific findings of the
1564 Secretary of Finance with respect to such recommendation, (ii) an analysis of the potential financial impact of
1565 the qualifying project, (iii) a review of the policy aspects of the detailed proposals and the qualifying project,
1566 and (iv) proposed general business terms and conditions. Review by the Commission shall not be construed
1567 to constitute approval of any appropriations necessary to implement any subsequent interim or
1568 comprehensive agreement.

1569 E. The responsible public entity shall not commence negotiation of an interim or comprehensive
1570 agreement until the Commission has submitted its recommendations or declined to accept the detailed
1571 proposals for review.

1572 F. The responsible public entity shall submit a copy of the proposed interim or comprehensive agreement
1573 to the Commission, the ~~chairmen~~ Chairs of the House Committee on Appropriations, House Committee on
1574 Finance, and Senate Committee on Finance and Appropriations or their designees, and the ~~Director~~ Chief
1575 Administrator of the Department of General Services at least 30 days prior to execution of the agreement
1576 along with a report describing the extent to which the Commission's recommendations were addressed in the
1577 proposed interim or comprehensive agreement.

1578 **§ 30-385. (Expires July 1, 2026) Membership; terms.**

1579 The Commission shall have a total membership of 17 members that shall consist of eight legislative
1580 members, three nonlegislative citizen members, and six ex officio members. Members shall be appointed as
1581 follows: three members of the Senate, to be appointed by the Senate Committee on Rules; five members of
1582 the House of Delegates, to be appointed by the Speaker of the House of Delegates in accordance with the
1583 principles of proportional representation contained in the Rules of the House of Delegates; one nonlegislative
1584 citizen member to be appointed by the Senate Committee on Rules; one nonlegislative citizen member to be
1585 appointed by the Speaker of the House of Delegates; and one nonlegislative citizen member to be appointed
1586 by the Governor. The Superintendent of Public Instruction, the ~~Director~~ Chief Administrator of the
1587 Department of General Services, the Executive Director of the Virginia Resources Authority, the State
1588 Treasurer, the President of the Board of Education, and the Director of the Department of Planning and
1589 Budget, or their respective designees, shall each serve ex officio with voting privileges. Nonlegislative citizen
1590 members of the Commission shall be citizens of the Commonwealth. Unless otherwise approved in writing
1591 by the ~~chairman~~ chair of the Commission and the respective Clerk, nonlegislative citizen members shall only
1592 be reimbursed for travel originating and ending within the Commonwealth for the purpose of attending
1593 meetings.

1594 Legislative members and ex officio members of the Commission shall serve terms coincident with their
1595 terms of office. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired
1596 terms. Vacancies shall be filled in the same manner as the original appointments. All members may be
1597 reappointed. Nonlegislative citizen members shall be appointed for a term of two years.

1598 The Commission shall elect a ~~chairman~~ chair and ~~vice-chairman~~ vice-chair from among its membership,
1599 who shall be members of the General Assembly.

1600 **§ 36-99.3. Smoke alarms and automatic sprinkler systems in institutions of higher education.**

1601 A. Buildings at institutions of higher education that contain dormitories for sleeping purposes shall be
1602 provided with battery operated or AC powered smoke alarm devices installed therein in accordance with the
1603 Building Code. All dormitories at public institutions of higher education and private institutions of higher
1604 education shall have installed and use due diligence in maintaining in good working order such alarms
1605 regardless of when the building was constructed.

1606 B. The Board of Housing and Community Development shall promulgate regulations pursuant to
1607 § 2.2-4011 establishing standards for automatic sprinkler systems throughout all buildings at private
1608 institutions of higher education and public institutions of higher education that are (i) more than 75 feet or

1609 more than six stories high and (ii) used, in whole or in part, as dormitories to house students. Such buildings
1610 shall be equipped with automatic sprinkler systems by September 1, 1999, regardless of when such buildings
1611 were constructed.

1612 C. The chief administrative office of the institution of higher education shall obtain a certificate of
1613 compliance with the provisions of this section from the building official of the locality in which the
1614 institution of higher education is located or, in the case of state-owned buildings, from the ~~Director~~ *Chief*
1615 *Administrator* of the Department of General Services.

1616 D. The provisions of this section shall not apply to any dormitory at a military public institution of higher
1617 education that is patrolled 24 hours a day by military guards.

§ 36-139.1. Sale of real property for housing demonstration projects.

1619 The Director is authorized to sell surplus real property belonging to the Commonwealth that is placed
1620 under the control of the Department for the purpose of establishing owner-occupied residential housing
1621 demonstration projects, with the prior written approval of the Governor or his designee, who shall first
1622 consider the written recommendation of the ~~Director~~ *Chief Administrator* of the Department of General
1623 Services. The methods, terms, and conditions of sale shall be developed in cooperation with the Department
1624 of General Services. Any contract of sale or deed of conveyance shall be approved as to form by the Attorney
1625 General or one of his deputies or assistant attorneys general. The proceeds from all such sales shall be
1626 handled in the manner prescribed in subsection I of § 2.2-1156.

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