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HOUSE BILL NO. 1297

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Agriculture, Chesapeake and Natural Resources
on January 24, 2024)

(Patron Prior to Substitute--Delegate Krizek)

A BILL to amend the Code of Virginia by adding in Title 10.1 a chapter numbered 21.3, consisting of sections numbered 10.1-2141 and 10.1-2142, and by adding in Chapter 8 of Title 58.1 a section numbered 58.1-818, relating to Virginia's Great Outdoors Act.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 10.1 a chapter numbered 21.3, consisting of sections numbered 10.1-2141 and 10.1-2142, and by adding in Chapter 8 of Title 58.1 a section numbered 58.1-818 as follows:

CHAPTER 21.3.

VIRGINIA'S GREAT OUTDOORS ACT.

§ 10.1-2141. Cooperation in the protection and preservation of lands.

It shall be the policy of the Commonwealth, and it is the purpose of this chapter, to ensure the ongoing protection and preservation of lands of ecological, cultural, or historical importance, lands for recreational purposes, and working farm and forest lands for the benefit of all current and future citizens of the Commonwealth. The General Assembly further determines and finds that acquisition of public lands and trails is a core function of state government, and that stewarding those lands and trails and providing access to the public is an ongoing responsibility. It also is the responsibility of government to assist private landowners who wish to conserve their lands for the benefit of the public. The General Assembly further determines and finds that land conservation and recreation are shared responsibilities among state government entities, local governments, and private conservation organizations and to that end this chapter authorizes and encourages cooperative programs to provide these services to the citizens of the Commonwealth.

27 **§ 10.1-2142. Commitment of certain tax revenues.**

28 A. In accordance with the provisions of § 10.1-2141, the Commonwealth shall provide
29 distributions of certain tax revenues for the protection and preservation of lands as described in this
30 section.

31 B. Beginning July 1, 2026, up to \$200 million of recordation taxes imposed under Chapter 8 (§
32 58.1-800 et seq.) of Title 58.1 shall be distributed as provided in § 58.1-818.

33 **§ 58.1-818. Distribution of recordation tax for the protection and preservation of lands.**

34 A. In accordance with the provisions of Chapter 21.3 (§ 10.1-2141 et seq.) of Title 10.1, beginning
35 July 1, 2026, of the taxes imposed under §§ 58.1-801 through 58.1-809 that are actually paid into the state
36 treasury, after distributions required by §§ 58.1-815.4 through 58.1-816.1, up to \$200 million of such
37 amount shall be distributed as follows:

38 1. Fifteen percent to the Virginia Land Conservation Fund to be used in accordance with § 10.1-
39 1020;

40 2. Fifteen percent to the Virginia Land Conservation Fund, established pursuant to § 10.1-1020, to
41 be spent for the acquisition of land or interests in land by the Department of Conservation and Recreation,
42 the Department of Wildlife Resources, and the Department of Forestry. Each year, such acquisition
43 projects shall be agreed upon by the directors of those departments and submitted to the Virginia Land
44 Conservation Foundation Board of Trustees for approval;

45 3. 2.5 percent to the Virginia Outdoors Foundation, established pursuant to § 10.1-1800, to be
46 spent for the purpose of providing grants to increase access to safe open space in Virginia's communities
47 and prioritizing such grants to areas that are underserved;

48 4. 2.5 percent to the Virginia Black, Indigenous, and People of Color Historic Preservation Fund
49 to be used in accordance with § 10.1-2202.5;

50 5. 2.5 percent to the Virginia Battlefield Preservation Fund to be used in accordance with § 10.1-
51 2202.4;

52 6. 2.5 percent to the Virginia Farmland Preservation Fund to be used in accordance with § 3.2-
53 201;

54 7. Thirty-five percent to the State Park Conservation Resources Fund to be used in accordance
55 with § 10.1-202;

56 8. 12.5 percent to the Department of Conservation and Recreation to be used to establish a
57 statewide system of trails as provided in § 10.1-204, with the assistance of the State Trails Advisory
58 Committee as provided in § 10.1-204.1; and

59 9. 12.5 percent to the Virginia Department of Transportation for regional multi-use trails pursuant
60 to the State Trails Plan, including new regional trails and projects to improve connectivity of existing trail
61 networks with geographic diversity in the use of such funds.

62 B. Such distribution amounts may be utilized for expenses in distributing such funds by the
63 authorized official in the agency or entity overseeing receipt of such distribution only after approval from
64 the cabinet secretary overseeing such agency or entity.

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