

Public-Private Education Facilities and Infrastructure
Act of 2002: Subsequent Bills Amending
Original Provisions

- **SB 1330 (2003)**: Clarified that a responsible public entity may reject any unsolicited proposal and that, if a proposal is rejected, any fees related to the proposal must be returned to the private entity. In addition, the bill required a responsible public entity to advertise a private entity's request for approval of a qualifying project in the Virginia Business Opportunities publication and, in the case of a state agency, to also publish a notice on the Commonwealth's electronic procurement website. The bill also (i) provided for a responsible public entity to post and publish a private entity's request for approval of a qualifying project for a period of time appropriate to encourage competition, and (ii) clarified that a qualifying project must consist of a specific project and may not include multi-year arrangements related to unspecified projects.

- **HB 1925 (2003)**: Amended the Act to include technology infrastructure as a qualifying project. The original version of the bill was a recommendation of the Joint Commission on Technology and Science.

- **SB 352 (2004)**: Amended the Freedom of Information Act by creating an exemption from disclosure of certain confidential proprietary records filed with a public entity or an affected local jurisdiction under the Public-Private Education Facilities and Infrastructure Act of 2002.

- **HB 148 (2004)**: Amended the Act by requiring local public entities to have independent design professionals or other professionals to provide independent analysis of the project prior to proceeding under the Act. The bill also required all public entities to post the notice of a private entity's request for the approval of a qualifying project on the Commonwealth's electronic procurement website.